THE HUMAN RIGHTS ENCYCLOPEDIA

JAMES R. LEWIS AND CARL SKUTSCH

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THE HUMAN RIGHTS ENCYCLOPEDIA

THE HUMAN RIGHTS ENCYCLOPEDIA

Volume One

Foreword by Aung San Suu Kyi
Winner of the 1991 Nobel Peace Prize

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Foreword

Aung San Suu Kyi
1991 Nobel Peace Laureate

A society that lacks human rights is a society that breeds misery. If I am ever asked why I am an advocate of human rights, I would like to answer that I simply do not like seeing so much human misery around me. There are many people today whose lives have been blighted by the sense of insecurity and helplessness common to those who are at the mercy of the whims of unjust, authoritarian rulers. People need to be protected against the misuse of power. The articles of the United Nations Universal Declaration of Human Rights are aimed at providing this all-important protection for all the peoples of the world.

In the aftermath of World War II, already-established powers and young nations newly emerged from the colonial chrysalis gathered to lay out a set of principles that would protect future generations from the scourge of violent conflict. Burma was one of the original signatories of the Universal Declaration of Human Rights when it was adopted by the United Nations in December 1948. But sadly, more than fifty years later, the articles of the Universal Declaration of Human Rights still remain paper promises to many peoples and nations.

Coming as I do from Burma, a country that suffers from the systematic violation of human rights by those in power, I deeply appreciate the wisdom and vision of those who drew up the articles of the Declaration. There is not one article that we can choose to ignore without imperiling freedom, justice, and peace. If we are to lead free and full lives, all the articles of the Declaration must be respected.

The preamble of the Declaration proclaims that the "advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want" is the "highest aspiration of the common people." It is also the most basic need for all, regardless of race, religion, or nationality. Our struggle for human rights has brought us very close to all members of the human family who are striving for the recognition of their inherent dignity and their inalienable right to life, liberty, and security of person.

It is my hope that our common aims and sufferings will create a strong sense of solidarity that transcends national borders and cultural differences. We struggle with a sense of purpose and an unshakable faith in the power of compassion, endeavor, and universal brotherhood. As our gratitude goes out to those who have so generously supported us in our times of adversity, we would like to express the hope that one day, our country may also be a source of strength and support for those in need of peace, justice, and freedom.

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First, I would like to express my heartfelt gratitude to Evelyn Fazio. Second, many thanks to my partner, Evelyn Dorothy Oliver, who worked intensively on this project in many ways, at many different stages. Third, thanks to my literary agent, Jeff Herman, for his crucial assistance at several junctures.

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J.L.

* * *

To begin with, I wish to offer my thanks to the wonderful people at M.E. Sharpe; first, for allowing me to work on this fascinating and vital topic; and second, for providing the support without which the project never would have made it into print. Evelyn Fazio, my publisher, spent more time with me than many of my friends, and never complained. I believe her name has as much right to be on the title page as mine. Andrew Gyory provided much-needed editing, while Aud Thiessen, the editorial coordinator, kept things from falling between the cracks, and Angela Piliouras flawlessly managed the production end of the project, making sure that none of my entries went astray, despite all of my clumsy efforts to help her.

On a personal note, I thank my lovely wife, Kristin Marting, who supported me through the rough days of final editing when my desk was buried under piles of documents and I was less than fun to be around. Thanks are hardly enough for what she's had to deal with. She is a pearl beyond compare. I would also like to thank the newest member of our family, Griffin Marting Skutsch, for putting up with so little play time.

Finally, I want to offer my heartfelt support to those around the world who are still suffering from human rights abuses. This encyclopedia is not enough—nothing is enough—but I hope it is a tiny step in the right direction.

C.S.

Introduction

On a bright June morning in Colombia last year, Venecia Barona Mosquera went out to cut sugar cane to help earn a living for her family. When she came home, she found her father and two brothers shot dead and her ten-year-old daughter lying with her skull crushed. Ms. Mosquera's family had done nothing to deserve their deaths. They were simply poor peasant villagers. But their village had given some food to a band of well-armed rebel guerrillas—they were afraid not to—and as a consequence, local right-wing paramilitary troops punished the village by killing more than twenty people, including Ms. Mosquera's family. Ms. Mosquera fled to a refugee camp on the outskirts of Cartegena—a shantytown nicknamed Nelson Mandela—and thereby became one of the more than 2 million Colombians who have been displaced by the brutal guerrilla war that has racked that country for years.

Ms. Mosquera's story is a personal tragedy. It is also a human rights tragedy. In Ms. Mosquera's tragedy, you see the human face of the struggle for human rights.

All too often, we see human rights as abstract ethical concepts or dead words from the past. We read in the American Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness," and we should recognize that Thomas Jefferson's words are still true today. But sometimes the world ignores them or pretends that they do not matter. To those around the globe who are struggling against fear and oppression, they matter a great deal. Venecia Mosquera's family had their right to life stripped from them; Venecia Mosquera, forced to flee for her life, had her liberty taken from her, and her chances of pursuing happiness seem slim. Perhaps none of this would have happened if government officials in Colombia and their allies in other countries—including the United States—had shown greater respect for the idea of human rights.

Despite tragedies like Ms. Mosquera's, or perhaps partly because of them, there has been a growing consensus over the last decade that human rights must become an international priority. From Haiti to Kosovo, international peacekeeping forces have intervened to prevent human rights catastrophes. In negotiations over trade deals, human rights have become a key element of the debate. Those who have previously been on the fringes of political questions—women, children, the disabled—have begun to move closer to center stage because of increased worldwide awareness of the importance of human rights.

This increased awareness has led us to create this encyclopedia. We think it is a necessary and long overdue resource in this era of growing human rights concerns and abuses.

But what are human rights? They are a set of ideas and beliefs that all people are endowed with certain privileges and responsibilities. The privileges include everything from the right to speak openly without fear, to the right to decent shelter and healthcare. The responsibility associated with this idea is the shared obligation that we all must defend one another's human rights. Each person has a set of human rights. Yet there are some people who take these rights away. We have an obligation to protect not only our own rights, but those of others. Finally, rights are attached to people. All people have the same rights. Just as there is a moral prohibition against murder, there is also a moral imperative that requires us to defend the human rights of all men, women, and children.

Not all people share this view. But then, not all people obey laws against murder. We believe that more and more good people are learning to view the world through the prism of human rights. The roots of the modern belief in inherent human rights is, after all, relatively young, dating back only to the seventeenth century. It will take time before all people embrace human rights as a world priority.

In this context of growing interest, our purpose is to bring knowledge of human rights issues to a broader audience and to serve as a resource on the subject for students, educators, and general readers. To best accomplish this, we have divided *The Human Rights Encyclopedia* into two main sections: Countries, and Issues and Individuals.

Each country entry gives a brief outline of the country's history, society, and political makeup, and then goes into detail about human rights problems in that country. The various contributors were given the freedom to take their own approach to the country entries—each country has unique characteristics that may suggest differing methods of analysis—but each was sure to supply basic demographic and political data that place human rights issues in context. We also provide sources for our information, which for the most part are respected government and human rights organizations.

The topical entries delve deeply into the details of human rights problems. In entries from abortion to xenophobia, we confront the difficult issues surrounding human rights and

try to bring to life the suffering of those whose rights have been denied. Our contributors are qualified and respected people in the field of human rights. Many of them are also activists in this field, and bring to this set a unique blend of passion and firsthand experience. They make it clear that they are writing about living, suffering people. As with the country entries, each topical entry has a bibliography giving readers a starting point for further research. These entries also provide cross-references to other related topics.

The appendixes provide two sets of resources. First, there is a documentary collection of the most prominent and well-known human rights resolutions of the twentieth century. These documents, which define human rights in the world of international law, include the United Nations Charter of 1945, the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. While these four are the most important human rights documents, we have also included several more that pinpoint other major areas of concern, such as racism, genocide, and children's rights.

In addition to these critical official documents, we also offer a large sampling of some of the more important human rights organizations around the world. Given the tens of thousands of such organizations, a representative sample is all that we can hope to provide.

We believe that our approach to human rights issues will provide a useful tool for researchers and anyone who is interested in understanding the meaning behind events that are splashed across the front page of newspapers every day. If, for example, a student were to read about Venecia Mosquera and her problems and wished to learn more about them, there would be many pathways available. The reader could first refer to the Colombia entry and read about the long-standing history of the guerrilla war there. Next, the user could turn to topical entries such as War, War Crimes, and Refugees. If the same newspaper mentions that Colombia is about to receive billions of dollars from the United States in order to help stop drug cultivation, the reader could turn to the Drug Trafficking entry to read about how both drug use and the war on drugs can lead to human rights violations, as they have in Colombia. Each of these articles has cross-references that will lead to other human rights issues. Finally, the appendixes will help the researcher to discover which rights were guaranteed Ms. Mosquera by international law and which were violated during her ordeal.

Today, at the dawn of the twenty-first century, when the goodwill of leaders and organizations around the world give us hope that human rights will be more of a priority than they were in the conflict-ridden, horror-filled twentieth century, it seems particularly appropriate to launch this encyclopedia. This reference work cannot hope to answer all human rights questions—there is not enough ink in the world to do that—but we hope that it will serve as a useful starting point, a beginning that readers can use as a base from which to explore the idea of a planet where human rights are fully respected, protected, and enjoyed by all peoples.

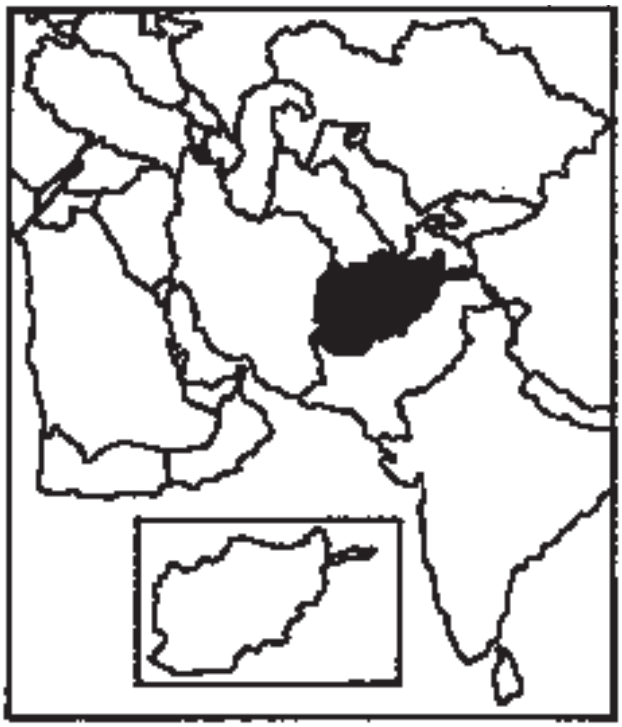
I hope that, just as this project has opened my eyes to some of the horrors and hopes that surround the issue of human rights, this encyclopedia may succeed in opening a few more eyes to the rights struggle. Where human rights are concerned, we all still have a great deal to learn.

Carl Skutsch

SECTION ONE

Countries

Afghanistan



Afghanistan is bounded on the north by Tajikistan, Turkmenistan, and Uzbekistan, on the west by Iran, and on the south and east by Pakistan and China. Its ethnically and linguistically mixed population counts over 25 million. Pashtuns are the dominant ethnic group, and Dari (Afghan Persian) and Pashto are the official languages. Afghanistan is an Islamic country. An estimated 85 percent of the population is Sunni Muslim. The balance of the population is mostly Shi'a Mulsim. Islamic codes and traditions dominate every aspect of life.

BACKGROUND

In 1973, under the leadership of the Marxist People's Democratic Party of Afghanistan (PDPA), Afghanistan was declared a Democratic Republic. Thousands of members of the traditional elite and intellectuals were imprisoned, tortured, and murdered. The Soviet Union took advantage of the precarious situation and invaded the country in December 1979. Following the invasion, a Soviet-supported regime was unable to establish authority outside the capital, Kabul. In 1984, Afghan freedom fighters (*mujahideen*) began receiving substantial military assistance from the United States and other countries. Popular hostility toward the regime (and the Soviet Union) led to its demise in 1986. It was replaced by a government—still backed by the Soviets—led by Mohammed Najibullah, former chief of the Afghan secret police, who remained in power until 1992. Approximately 14,500 Soviets and 2 million Afghans died between 1979 and 1992.

In 1992, the victorious *mujahideen* entered Kabul and assumed control of the central government. With the end of Soviet occupation, a new round of fighting began between the various militias—fighting based on ethnic, clan, religious, and personality differences. By 1998, the Afghan conflict had boiled down to two key combatants: the ultraconservative Islamic movement known as Taliban, led by Mullah Omar, which in 2000 controls 90 percent of the country, including Kabul; and the Northern Alliance forces, led by Ahmad Shah Massoud, which controls 10 percent of the country's northeast. The Taliban and Massoud's forces continued to fight on multiple fronts.

Provincial administrations have limited functions, and civil institutions are mostly

non-existent. There is no effective central government in much of the country, as well as no constitution or independent judiciary. The economy, which is based on cultivation and trade—fruits, gems, and minerals—is minimal due to fighting, the presence of thousands of land mines, and roads blocked by rival militias.

HUMAN RIGHTS

The ongoing war between the two armed forces effectively prevents the formation of a stable, democratic society. Human rights are continuously abused. There are no institutions protecting citizens from discrimination based on race, sex, religion, physical disability, language, or social status. The presence of competing factions has also seriously limited the freedoms of speech, press, assembly, association, religion, and movement.

Historically, the minority Shi'a Muslims have been among the most economically disadvantaged groups in the country, and have been discriminated against by the majority Sunni. It is estimated that thousands of Shi'as of the Hazara ethnic group have been killed by the Taliban, who are ethnic Pashtuns and Sunni Muslims. Expulsions and mass executions based on ethnicity have been carried out throughout the country by both Taliban and anti-Taliban forces, who have indiscriminately bombarded civilian areas.

In Taliban areas, strict and oppressive order is imposed according to an extreme interpretation of Islamic law, including public executions by stoning and throat slitting for adultery or murder, amputations for theft, and beatings on the spot for other infractions. Homosexuality is severely punished. Officials of the Ministry for the Promotion of Virtues and Suppression of Vice—the Taliban's religious police—publicly assault people for violations of codes relating to dress, hair length, and facial hair.

Violence against women takes place frequently in the form of rape, murder, forced marriage, beating, and kidnapping. A woman may be beaten on the street for immodest dress (wearing shoes with heels can be considered immodest, as can allowing too much of one's face to show). Women accused of adultery are stoned or lashed publicly. While women do not have equal rights in the areas controlled by the Northern Alliance, conditions there are less oppressive, with more freedom allowed in dress and behavior.

The Taliban also use excessive force against demonstrators. According to some reports, ten unarmed pro-peace demonstrators were killed in Mazar-I-Sharif on March 24, 1998.

Abductions, kidnappings and hostage taking for ransom or for political reasons occur both in Taliban and non-Taliban areas. All Afghan factions use torture against opponents and prisoners of war. Prisoners' conditions are precarious: they are not given food, and visiting relatives can bring them food only once or twice a week.

In the absence of a formal legal system, justice is not administered according to official codes, and people are subjected to arbitrary detentions. Individuals have been imprisoned by both the Taliban and the Northern Alliance because of their ethnic origins and suspected sympathy toward opponents.

The Taliban use Islamic courts to judge criminal cases and resolve disputes. Taliban courts often provide summary trials that last but a few minutes. Prisoners convicted of murder or rape are executed, unless the victims' relatives choose to accept certain other forms of restitution. The

courts' decisions are final. It can generally be said that the administration and implementation of justice depend entirely upon local commanders, who execute, torture, or impose punishments without reference to any other authority.

There is no law addressing freedom of speech or press. The Taliban have banned foreign newspapers. Factions maintain their own communication facilities. Foreign journalists are forbidden to film or take photos of persons or animals; they are not allowed to interview women, and they must at all times be accompanied by an escort.

The Taliban prohibit music, movies, and television on religious grounds. Freedom of religion is also restricted. Non-Muslim residents may practice their faith but cannot proselytize. The Taliban impose their interpretation of Islamic precepts in areas under their control. Prayer is obligatory for everybody. Men are required to have beards of a certain length and wear head coverings. The penalty for shaving can be imprisonment. In public, women must wear a *burqa*, a garment that covers a person completely from head to toe.

Women have been treated harshly under Taliban rule. Girls are not allowed to go to school, although a few girls' schools are still open in rural areas and small towns. Women cannot work outside the house. They cannot leave their homes or receive medical treatment unless escorted by a male relative. They cannot drive cars, though they are allowed to ride on designated buses. Women are forbidden from entering mosques. Because of this, most women pray at home. They are also subjected to limits on the inheritance of property.

The situation of children is very poor. Infant mortality and death from malnutrition are common. UNICEF reports that most children are traumatized; 90 percent suffer from anxiety disorders and 70 percent have witnessed scenes of violence, including

An orphanage in Kabul. The children's parents were killed during Afghanistan's long civil wars.

the killing of parents or relatives. Dolls and stuffed animals are prohibited as toys for children because images of living creatures cannot be represented in object form according to the Taliban's interpretation of the Islamic tradition. Children between the ages of six and fourteen often work to help support their families by shining shoes, collecting scrap metal on the streets, and herding animals. Many are exposed to the danger of land mines (as are adult Afghans).

In general, labor rights are not defined and enforced by a central authority, making them somewhat arbitrary. Many workers have been fired because they received their education abroad, because they were involved with previous regimes, or because they violated Taliban regulations.

Afghanistan has one of the world's largest refugee populations, with women and children constituting 75 percent of the refugee population. More than 300,000 Afghans are internally displaced people. Between January and October 1998, 88,000 refugees returned. Although citizens can travel both inside and outside the country, warfare, brigandage, millions of land mines, a precarious road network, and limited and dangerous air traffic seriously impede travel.

International aid agencies often find it difficult to provide humanitarian assistance and to monitor the situation in the country. According to some reports, UN agencies and non-governmental organizations (NGOs) have been prevented from operating freely by all factions. Commanders of the Northern Alliance taxed humanitarian supplies, laid new land mines on the road, and blew up a bridge to prevent the delivery of such aid in the northeastern provinces of Badakhshan. In August 1998, an Italian serving with the United Nations Special Mission was killed in Kabul, and most foreign UN and NGO representatives were forced to leave. The Taliban have been accused of looting food supplies, stealing trucks, and occupying the offices of the UN World Food Program.

In April 1999, Karl F. Inderfurth, in his statement as UN assistant secretary for South Asian affairs, reported that the prospects of international efforts to bring both sides of the Afghan conflict to a peaceful discussion and political settlement are still remote. As of October 2000, the fighting continues.

James R. Lewis

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Albania

The Republic of Albania, located in southeastern Europe, is a multiparty parliamentary democracy. The prime minister is the head of the government, while the president's position is largely ceremonial with limited executive power. Tirana is the capital. Albanians are the main ethnic group, with Greek and other minorities constituting 5 percent of the population. Sunni Muslims make up the largest religious group, whereas Albanian Autocephalos Orthodox and Roman Catholic Churches are the other two large denominations.

BACKGROUND

Albania has made tremendous progress in overcoming years of foreign domination, economic ruin, and isolation. Nevertheless, the country is still affected by political instability, widespread poverty, corruption, unregulated occupations, and poor medical care.

Independence from the Ottoman Empire was achieved in 1912 and lasted until 1939, when Italy invaded the country. In 1943, German troops occupied the country. However, after World War II, Albania became a communist state, allied to the Soviet Union. The affiliation with the Soviet Union ended in 1961, when Soviet premier Nikita Khrushchev's government openly denounced Albania's hard-line communist policies.

During the 1960s, China became Albania's ally and primary source of economic and military support. This relationship, however, ended in 1978, as a result of China's rapprochement with the United States. The leader of the Albanian Communist Party, Enver Hoxha, then pursued an independent and isolationist course of political and economic actions, running a harsh dictatorship that helped ruin his country.

During 1990, changes in the communist bloc helped start a series of internal reforms. Restrictions on travel abroad and religious practices were liberalized. In 1991, political prisoners were freed. In 1992 and 1993, under President Sali Berisha, the Albanian government established the rule of law and institutionalized respect for human rights. These reforms aimed to gain closer ties with Western countries and improve the economic condition of the country. Assistance programs provided by Western countries were reviewed after May 1996, when

international monitors found irregularities in Albanian parliamentary elections. The new government, however, lacked the skills necessary to hold the country together.

In 1997, the Socialist Party won the elections after a five-month period characterized by total chaos and anarchy. The Democratic Party—the largest opposition group—boycotted the Parliament from October 1997 to March 1998, and again from June 1998 to the end of the year. There was also a boycott after a national referendum approved a new constitution under the guidance of Socialist Party Chairman Pandeli Majko. The new constitution stated that "Governance is based on a system of elections that are free, equal, general, and periodic."

HUMAN RIGHTS

Albania is a poor country making a transition to a free-market system. Human rights in the areas of freedom of speech, press, and assembly have improved. The government generally respects these rights and cooperates with the United Nations, as well as with non-governmental and other international organizations on human rights issues. Nevertheless, many problems persist. In many instances, crime, corruption, and vigilantism impede the government's efforts to maintain civil order.

The judicial system is inefficient and subject to executive pressure and intimidation. The Democratic Party alleges that the government is responsible for the murders of its opponents during 1998, for abusing suspects and prisoners, and for harassment of Democratic Party members for political reasons. In August 1998, six persons who held positions in the previous government were arrested. In September 1998, during a two-day antigovernmental protest, two demonstrators were killed and ten persons wounded.

Men in Albanian prison yard.

Police often beat or mistreat prisoners, infringe on civil rights, and conduct searches without a warrant. In February 1999, several journalists were beaten by police officers. Although the penal code forbids the use of torture, there are reports of detainees being abused in police stations. In addition, the Parliament approved an anti-crime law allowing police officers to shoot without warning at armed persons who resist the police. Prisons are overcrowded and juveniles are often incarcerated with adults. The Red Cross and other non-governmental organizations are allowed to inspect prisons, although occasional non-cooperation with human rights monitors is a problem.

Despite the 1995 Penal Procedures Code and a citizens' right to a fair, public, and speedy trial, lengthy pretrial detentions and investigations are often a problem. Since 1997, because of the destruction of many court and police records, prosecutors and police have found it difficult to prepare cases properly. In addition, courts often have inadequate libraries and are not in possession of recently passed legislation.

The law on major constitutional provisions forbids discrimination based on sex, race, ethnicity, disability, language, religion, or social status. Nevertheless, women and minorities continue to be victims of discrimination. In Albania's traditionally male-dominated society, women regularly experience domestic violence, particularly in the north, where old traditions are strong and women are considered chattel. Marital rape and sexual harassment are not considered crimes. Trafficking in women and forced prostitution are a significant phenomenon. Although women have access to higher education and can work in any field, they are not accorded equal opportunities in their careers; as a consequence women are underrepresented in politics and government.

Child abuse and trafficking are serious problems as well. Children are kidnapped and sold for prostitution or pederasty abroad. Although the government enforces the requirement to remain in school until age sixteen, in rural areas many children leave school earlier to help support their families. In many cities, children are found selling cigarettes or other items on the streets. Forced or compulsory labor is practiced.

All religions are considered equal. However, the government has not yet returned properties and religious objects confiscated during the communist regime. The government has improved the treatment of ethnic minorities. However, ethnic Greeks remain the most neglected minority group in terms of illiteracy, health, and economic conditions.

People with disabilities do not receive adequate health care due to budgetary constraints. The law does not mandate the elimination of architectural barriers for people with disabilities.

Academic freedom is still limited. The law establishes the right to a free education for at least eight years. In some cases, faculty members are fired for political reasons, and students may receive preferential treatment because of political connections.

Workers have had the right to form trade unions since 1990. The law prohibits strikes for political reasons. Actual conditions in the workplace are often very poor. The labor code does not provide specific protection for leaving a workplace due to extremely hazardous conditions.

Citizens are free to move within the country and travel abroad. Foreigners are grant-

ed refugee and asylum status. In 1998, more than 2,000 Kosovar Albanians were provided refuge and support in cooperation with the United Nations High Commissioner for Refugees. Despite limited resources, in 1999, the Albanian government made efforts to accomodate the influx of more than 450,000 ethnic Albanians who had been forcibly displaced by Serbian and Yugoslav forces from the neighboring province of Kosovo. Over the past several years, many Albanians have been emigrating to find better living conditions abroad.

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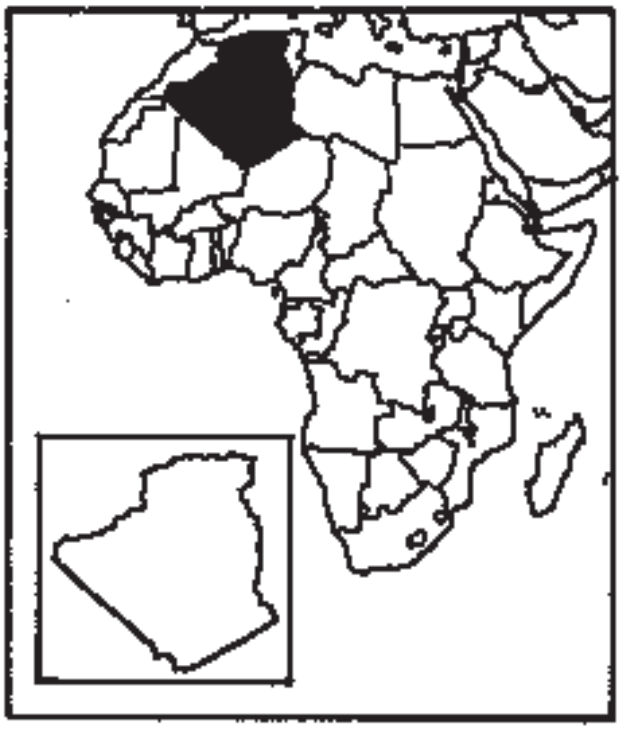
Algeria



Algeria is located in North Africa by the Mediterranean Sea. It is bordered by Morocco, Mauritania, Mali, Niger, and Tunisia. It has a population of approximately 32 million, most of whom are Arabs or Berbers. Arabic is the official language, but French and Berber dialects are also spoken. Most Algerians are Sunni Muslims. The capital is Algiers.

The Algerian economy is based on energy industries, including oil and gas, as well as light industries and agriculture. Helped by oil revenues, Algeria's annual per capita income is $4,600.

BACKGROUND

Algeria was conquered by Muslim Arab invaders in the seventh and eighth centuries and has been a Muslim state for more than a thousand years. Algeria came under the domination of the Ottoman Empire in the sixteenth century. In spite of the Ottoman Empire's technical suzerainty, Algeria remained under its own Arab rulers until the nineteenth century. In 1830, France invaded Algeria and began a period of conquest that was complete by 1870. The French army kept Algeria in French hands, and the French government dreamed of turning Algeria into a province of France. French and other European colonists began settling in Algeria, taking the best land and dominating the country's economy.

In the 1950s, an Arab revolution led to a bloody civil war between Arab guerrillas and the French army, with both Arab and French civilians suffering from bombings and assassinations. In 1962, President Charles de Gaulle of France negotiated the withdrawal of all French military forces. Almost all the French colonists left the country that same year. Algeria then came under the rule of the National Liberation Front (FLN), which had led the fight against the French. The FLN became the backbone of the military, which has dominated Algerian politics ever since.

The FLN's first leader was Ahmed Ben Bella. In 1965, a coup put Colonel Houari Boumédienne in power. Boumédienne ruled as dictator of Algeria until his death in 1978. Boumédienne was succeeded by Colonel Chadli Bendjedid. Like Boumédienne before him, Bendjedid was backed by the FLN and the Algerian army.

In 1991, the FLN allowed the country to have its first truly free elections. The first

round of those elections resulted in a victory for the Islamic Salvation Front (FIS), a conservative religious movement. Fearing the rise of Islamic fundamentalism, the army cancelled the second round of elections and appointed a new president, Mohammed Boudiaf. Angered, Islamic militants responded by attacking prominent military and political leaders. FIS assassins were allegedly responsible for the killing of President Boudiaf later in 1992 (although there was strong suspicion that army hard-liners may have ordered his death because of his attempts to negotiate with the FIS). Assassins also targeted writers and journalists who were perceived as supporting the military regime—those writers who were perceived as being too "Western" and "un-Islamic" were often the victims of assassination. The military responded with mass arrests and outlawed the FIS. By the end of 1992, Algeria was in the midst of full-scale civil strife.

The military arrested thousands of suspected Islamic terrorists; many of those arrested were never heard from again. They disappeared without formal trials. The Armed Islamic Group (GIA), a radical organization, responded with attacks, targeting military outposts, army convoys, and pro-government journalists. Civilians who were seen as too pro-government were also often attacked. Some terrorist attacks were against women who dressed in Western clothes; the fundamentalist GIA saw these Westernized women as symbols of the anti-Islamist Algerian government.

Although elections were held in 1995 and 1996, they were tightly controlled by the military and were neither free nor fair. Assassination and murder continued throughout the mid- and late 1990s. In 1997 and 1998 there were a number of large-scale massacres in Algerian villages. Men, women, and children were slaughtered in these attacks. In the town of Benthala, for example, 400 people had their throats slit in a massacre. In August and September 1997, more than 600 civilians were killed in similar attacks. The government blamed the attacks on GIA extremists, but the GIA denied responsibility. Some observers believed that elements within the military had staged the attacks in an attempt to paint the GIA as villainous and thereby discredit them in the eyes of the public. It was surprising to some observers that some of these attacks took place near military bases, yet no army soldiers intervened to stop them. Critics of the government argued that this was a sign that government forces had planned the attacks.

The mass killings, however, outraged many people on both sides of the conflict. In a sign that some Islamist groups were eager for peace, the Islamic Salvation Army (AIS), a group connected to the FIS, agreed to a voluntary cease-fire. The GIA and other extremist groups did not join this cease-fire and fighting continued.

In April 1999, a moderate leader, Abdelaziz Bouteflika, won Algeria's presidential elections and tried to begin healing the rifts between the military-backed government and the Islamist parties. Bouteflika's election was flawed by corruption and accusations of rigging, but it marked a real change in government attitudes. Bouteflika was more open than his predecessors had been about the suffering that Algeria had undergone during its internal war, even going so far as to tacitly admit government involvement in some of the "disappearances." As a sign of his sincerity, Bouteflika also ordered some Algerians who had been arrested during the conflict released from

Refugee from the fighting washing clothes, 1992.

prison. Responding to peace overtures by the AIS, Bouteflika put forward a "Civil Harmony law," which was ratified by a popular referendum in September 1997. In order to put the past behind Algeria, the law decreed an amnesty for Islamist guerrillas who surrendered within six months and who had not committed murder or rape. Those guilty of murder or rape would be granted reduced sentences.

After the amnesty, the violence in Algeria was reduced but not eliminated. Unlike the more moderate AIS, two extremist groups, the GIA and the Salafist Group for Preaching and Combat (GSPC), refused to accept the amnesty. Attacks on civilians continued and, as of late 2000, about 200 people were still being killed every month. The total death toll in the post-1992 fighting exceeds 100,000. (President Bouteflika was the first Algerian government leader to admit to the catastrophic level of violence in Algeria; previous government statements had acknowledged only 26,000 deaths.)

Despite the continued violence, there was some hope as of late 2000 that Algeria was

moving slowly toward peace and improved human rights. Bouteflika's amnesty and his willingness to accept criticism of the government marked a change from previous administrations. Even with these improvements, however, Algeria remained the most violent country in the Arab world.

HUMAN RIGHTS

Algeria has a poor human rights record, although recently it has been improving.

The people's ability to choose their own government freely is limited. The 1997 parliamentary elections and the 1999 presidential elections were both deeply flawed. Local and foreign observers accused the military of interfering with the elections. During the presidential election campaign six opposition parties withdrew their presidential candidates and boycotted the election to protest campaigning irregularities. The government claimed a 60 percent turnout for the election, but neutral observers believed that the turnout was far lower. Although President Bouteflika was victorious, it remains unclear whether the majority of Algerians truly wished him to be their president. Nevertheless, despite the military's dominance over the political arena and the government, Algeria is not an absolute dictatorship. Opposition parties are allowed to operate and remain very active. The Parliament seats eleven separate parties, some of which are very critical of the government.

The military rulers of Algeria have been responsible for numerous human rights abuses. The army, police, and security forces all violate the rights of Algerian citizens in their ongoing war against Islamist extremists. Pro-government militias have also been responsible for civilian deaths. Islamist guerillas are responsible for mass human rights violations, including murder and rape.

Mass killings of civilians continued in 1999 and 2000, but on a smaller scale than in 1997 and 1998. The numbers killed are in the dozens per incident, rather than in the hundreds. Nevertheless, hundreds are believed to be killed every month. Many civilian victims of guerrilla attacks have had their throats cut, and surprisingly, many of the attacks occur during the Muslim holy month of Ramadan. In one attack on November 21, 2000, the attackers invaded a house in the village of Haouch Saboun, 30 miles west of Algiers. They killed the ten residents of the house, cutting their throats, shooting them, and then mutilating their bodies. The people killed were related to an Algerian police officer, and it was assumed that the killers were members of the GIA.

Algerian military units are also often targeted. On November 27, 2000, twenty-seven Algerian soldiers were ambushed, allegedly by the GCSP, between Blida and Medea, south of Algiers. An explosive device was triggered as their truck drove along, and then ambushers opened fire. The attackers escaped capture.

The murky nature of the Algerian war makes it sometimes difficult to determine who is responsible for these killings. The government blames Islamist extremist guerrillas, and clearly many attacks are carried out by Islamists, but suspicion remains that government death squads may be carrying out some killings in order to destabilize the country and hurt the reputation of the Islamist parties. The fact the some attacks have taken place very near military installations suggests either military incompetence or collusion.

In November 1999, Abdelkader Hachani, a leader of the FIS, was assassinated while undergoing dental surgery. He had previously claimed that government harassment was placing him in fear for his life. His family suspected the involvement of government security forces. The government claimed that he had been killed by an Islamist militant. It remains unclear who was responsible for Hachani's death.

Since 1992, there have been more than 4,000 "disappearances" of people arrested by government security forces. The government claims that most of these people were Islamist terrorists or former terrorists who have chosen to go into hiding. Many human rights observers believe that army or police units have murdered those who have disappeared. Some of the disappeared are believed to still be in the hands of security forces. Islamic guerrillas are also believed to be responsible for many kidnappings and disappearances.

Bouteflika and the Algerian courts have been criticized for their unwillingness to pursue those guilty of causing disappearances. Responding to these critics, Bouteflika said in July 1999: "We must first try to establish peace and security. . . . If we try to attack all the problems at once we shall lose our way."

Arbitrary arrests are common in Algeria. Suspected terrorists or terrorist sympathizers are reportedly held for days or even weeks. Some members of the opposition have been under house arrest for months. The use of arbitrary arrests appeared to decline in 1999 and 2000. Nevertheless, an official "state of emergency" remained in effect, giving authorities broad powers to arrest suspected terrorists and terrorist sympathizers. Many people have been arrested merely for being associated with alleged terrorist groups.

Torture is forbidden by the Algerian constitution but goes on nevertheless. In October 1999, Mohamed Zouaghi, Hacene Dimane, Abdelouahab Feroui, and Nassima Fodail were allegedly arrested by the police and tortured for ten days—they reported receiving electric shocks—and cigarette burns, and being forced to swallow unpotable water and chemicals. Police beatings of terrorist suspects are commonplace. Islamist guerrillas have also been accused of kidnapping victims and torturing them. Reportedly, young women have been kidnapped by these groups and subjected to multiple rapes over a period of weeks.

Prison conditions are poor, and medical care in prisons is minimal. The government occasionally allows international monitors to visit prisons. There are believed to be thousands of political prisoners in Algeria.

The courts are supposed to be independent, but in practice both civilian and military courts are responsive to government pressures. Accused terrorists have a right to a lawyer, but many lawyers are reluctant to offer their services for fear of government reprisals. The operations of military courts are usually secret and almost certainly do not adhere to international human rights standards.

Amnesty laws passed by President Bouteflika's government have had the result of protecting many alleged murderers from prosecution. International human rights groups have opposed these amnesty policies because they encourage impunity—the idea that politically sponsored murder can take place without fear of punishment. The amnesty laws have also only been partially successful at reducing the levels of violence in Algeria because some of the Islamist groups resisting Boute-

flika's government have refused to accept the amnesty.

The government does not protect the right to privacy of its citizens. Police and army units often invade homes without warrants. Government security forces often listen in on telephone conversations. The government also often monitors the calls of opposition leaders. Correspondence is also sometimes opened by security personnel.

The government does not protect freedom of speech, but Algerians still have access to multiple political points of view. Using the excuse of the ongoing war against Islamist guerrillas, the government restricts the right of people to criticize their policies. Government-controlled newspapers do not criticize the government. There are a number of independent newspapers in Algeria, however, and these papers comment fairly freely on politics and the ongoing civil strife. Although independent journalists can be critical of the government, they practice self-censorship and avoid topics that might lead to harassment from security forces. Senior government and military officials are much less likely than low-ranking officials and officers to be criticized. The government also practices official censorship, restricting the flow of information to both government and independent newspapers. It is believed, for example, that the government covers up some stories about massacres in an attempt to calm public fears of terrorist attacks.

Radio and television stations are controlled by the government. Many middle-class Algerians, however, have satellite dishes and therefore access to European and other non-Algerian television stations.

The Algerian constitution protects the right to assemble and protest, but in practice, government restrictions greatly limit the right of assembly. Groups that wish to stage protests or political rallies must obtain government permits before meeting. The government often refuses to grant permits to those groups it opposes, particularly those sympathetic to the Islamist movement. Police sometimes use clubs to break up illegal gatherings. The police and security forces often target gatherings by opposition political parties. During the April 1999 elections, many civilians were injured by baton-wielding police, who broke up anti-government rallies.

Mothers and other family members of the "disappeared" often gather and demonstrate in Algeria's major cities. These protesters demand that the government find out what has happened to their sons and daughters. While the protesters are usually allowed to demonstrate, Bouteflika has become increasingly impatient with their protests, arguing that Algerians must "turn the page" and forget the past. Occasionally these protests have been broken up by police, and some women have been hurt.

Freedom of religion is not protected in Algeria. Islam is the official and only legal religion in the country. The government, however, generally allows other religious groups to operate discreetly. There are Catholic churches that accept worshippers every Sunday in spite of government prohibitions. Government security forces have made no effort to close down these churches. Individuals of other faiths often meet in one another's homes. The schools all teach Islam as a fundamental part of the curriculum. Private religious schools are not permitted. Proselytizing is illegal. The Ministry of Religion supervises the activities of

all mosques and attempts to limit the activities of Islamic fundamentalists.

Unlike the government, the extremist Islamist groups are openly hostile to other religions. The GIA has declared that it intends to cleanse Algeria of Christians, Jews, and other non-Muslims. Muslim terrorists often target groups and individuals that they view as insufficiently religious or traditional.

The government allows freedom of movement but occasionally restricts this freedom for reasons of security. Leaders of the FIS are forbidden to travel abroad. Women under the age of nineteen may not travel abroad without the permission of their father or husband. The armed conflict in Algeria often interferes with freedom of movement. There have been numerous cases of men in government uniforms setting up roadblocks and checkpoints and then robbing or killing the people whom they stop. It is unclear whether these killers are Islamist guerrillas who have stolen military uniforms or military men acting on their own or under orders.

The government allows workers to organize and unionize. Most industrial workers belong to trade unions. The government can restrict the right to strike in the name of national security, but strikes often do occur and sometimes result in concessions being granted by the government. Forced labor and slave labor are forbidden, and the government generally enforces this policy.

Discrimination against women is illegal, but remains common. Spousal abuse is also allegedly common. There are no laws against spousal rape. Traditional attitudes prevent most women from seeking help after being battered or raped. There are no adequate shelters for women who have been abused by their husbands. There are some centers that help women who have been raped. Along with the post-1992 fighting there has been an increase in the number of rapes suffered by women. Islamic extremists are alleged to target young girls for kidnapping and rape.

Although the law permits women to enter the workforce, customary attitudes greatly limit their chances of advancement. Only 8 percent of the workforce is female. Discrimination in the workplace is common. Algerian law also favors men in divorce disputes. After a divorce, men usually gain possession of the home. Women also receive less than men under inheritance laws.

In theory, the government is dedicated to protecting the rights of children, but in practice, child abuse remains a serious problem. The ongoing civil strife has helped to break up families and has left children more vulnerable to abuse. Sexual abuse against children is also an ongoing problem.

The government is not sympathetic to the rights of ethnic minorities. The government's policy of "Arabization" is devoted to making Arabic the only language in Algeria, displacing the Berber languages used by some ethnic minorities. The Amazigh ethnic minority has been particulalry resistant to the government's attempts to Arabize them.

The government allows local and foreign human rights groups to operate. Local human rights groups suffer from occasional harassment and surveillance. President Bouteflika has invited visits by Amnesty International.

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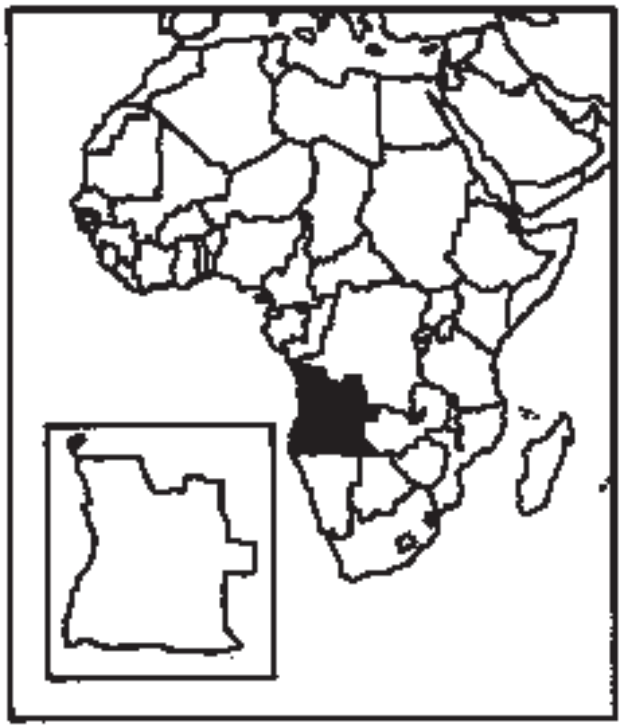
Angola



The Republic of Angola is located in southwestern Africa. It is bounded on the west by the Atlantic Ocean; on the north and the northeast by Democratic Republic of the Congo; on the east by Zambia; and on the south by Namibia. Thirty-seven percent of its population is composed of ethnic Ovimbundu, whereas Kimbundu and Bakongo constitute 25 percent and 13 percent, respectively. Mixed European and native Africans represent 2 percent of the population. The remainder is constituted by Europeans (1 percent) and other ethnic groups (22 percent). Portuguese is the official language, although Bantu dialects and other African languages are spoken throughout the country. The major professed religions are indigenous traditions (47 percent), Roman Catholicism (38 percent), and Protestantism (15 percent). Luanda is the capital.

BACKGROUND

In 1951, Angola became an overseas province of Portugal. Independence was achieved in 1975. Angola was proclaimed a single-party government, ruled by the Popular Movement for the Liberation of Angola. Civil war between competing independence movements has been the norm since. The wars became particularly fierce and destructive in the 1970s and 1980s.

In May 1991, the Bicesse Accords were signed between the government and the insurgent National Union for the Total Independence of Angola (UNITA). One-party rule ended and internationally monitored elections were called. However, the cease-fire lasted only until October 1992, when UNITA refused to accept electoral defeat and resumed civil war.

In November 1994, the two sides signed another peace accord, the Lusaka Protocol, which included the integration of UNITA into the Angolan armed forces and the government. UNITA, however, failed to comply with its obligations under the protocol, and military tensions and banditry continued. In April 1997, a Government of National Unity and Reconciliation was established in an effort to achieve military integration with and rule over UNITA-occupied areas. However, the resolutions were not considered satisfactory by UNITA and negotiations were interrupted.

At the end of 1998, there was renewed fighting between UNITA and the govern-

A young boy in army training. Many troops in Africa use underage soldiers.

ment. By the summer of the following year, the civil war was once again in full swing throughout Angola. UNITA managed to take new territory, and stepped up its attacks in areas still held by the government.

More than twenty years of continuous warfare has inhibited the establishment of an economy based on market principles (or anything else). Despite the country's abundance of natural resources, such as gold, diamonds, oil, extensive forests, and arable land, the annual per capita income is one of the lowest in the world. The country's wealth is concentrated in the hands of a few government officers; corruption and mismanagement are widespread both in the public and in the private sectors. Subsistence agriculture provides the main resource for 85 percent of the population. However, because of land mines, farmers are fearful to work in their fields and as a result much of Angola's food must still be imported. Civilians who live in UNITA-controlled areas are subject to a form of economic feudalism.

HUMAN RIGHTS

Both the government and UNITA are committing numerous human rights abuses. Conflicts between the government and UNITA forces have resulted in hundreds of deaths and the displacement of thousands of civilians. According to some reports, extrajudicial executions and tortures have been committed by government security forces against UNITA members and sympathizers, criminal suspects, and people who disobeyed police orders. Government opponents have disappeared and hundreds of people have been arrested and detained for political reasons. Many were beaten at the time of the arrest. Amnesty International alleges that in November 1999, four youths died from asphyxiation in police custody in Luanda after being severely beaten.

Prison conditions are very poor; food, medications, and sanitation are not provided. Prisoners often die in custody. In addition, prisoners are subjected to brutal forms of interrogation. Young prisoners are often abused by guards or inmates. The judicial system is not independent from the government. The right to public trials as well as the right to a defense attorney or to an appeal are not enforced. Instead, long detentions without trial are the norm.

Army and police personnel, who are usually unpaid, are reportedly supporting themselves by extorting civilians and rob-

bing them of their personal property and food. They have ravaged entire areas and robbed displaced persons occupying UNITA sites. On the other hand, UNITA forces are also responsible for killings, tortures, disappearances and other abuses in their effort to eliminate real or potential opposition. UNITA troops have kidnapped hundreds of civilians, including children, and have raped women. Suspected governmental supporters and traditional leaders have been victims of brutal attacks.

It is reported that UNITA employs cruel measures to punish dissent and prevent further disloyalty. Forced recruitment—including minors and women—is practiced. UNITA is also believed to detain persons for war-related reasons. It has established a military and civilian court system with a strict martial law code.

Both the government and UNITA limit freedom of speech, press and assembly. The majority of the media are run and controlled by the state. Journalists are forced to censor information regarding military incidents, internal security or other sensitive matters. Activities of the foreign media are not restricted but, in some cases, are very limited. UNITA allows media organizations to function only under surveillance of party officials.

There is academic freedom, although within the constraints of the civil war. The constitution grants freedom of religion, and protects the separation of church and state. Nevertheless, the clergy is very cautious in criticizing either governmental or UNITA policies.

Citizens cannot freely travel, or easily exit or enter the country. Government checkpoints limit citizens' movements within the country and serve as extortion locations. In addition, UNITA prevents civilians from going to areas under governmental control. The greatest impediments to internal movement are land mines which dot the roads. As far as refugee and asylum status are concerned, the government complies with the law and with the United Nations High Commissioner for Refugees.

No racial or ethnically based acts of discrimination have been reported in recent years. Instead, women have been suffering from discrimination in wages, job positions, inheritance, and participation in commercial activities. Violence, sexual abuse and homicide are perpetrated against women throughout the country. There are reports of women forced to work as porters for UNITA forces and kept in servitude. Prostitution, including child prostitution, is a problem as well.

Children's rights are given only marginal attention, despite children's suffering from the ongoing conflict and the poor economic conditions of the country. A law against forced or bonded child labor is not enforced. Many young children work on family farms as domestic servants; others, who are orphans or abandoned, find employment in urban areas.

Disabled people are not provided with the means to improve their physical, financial or social conditions. The government and UNITA do not completely cooperate with investigations on human rights conditions by international organizations such as Human Rights Watch and Amnesty International.

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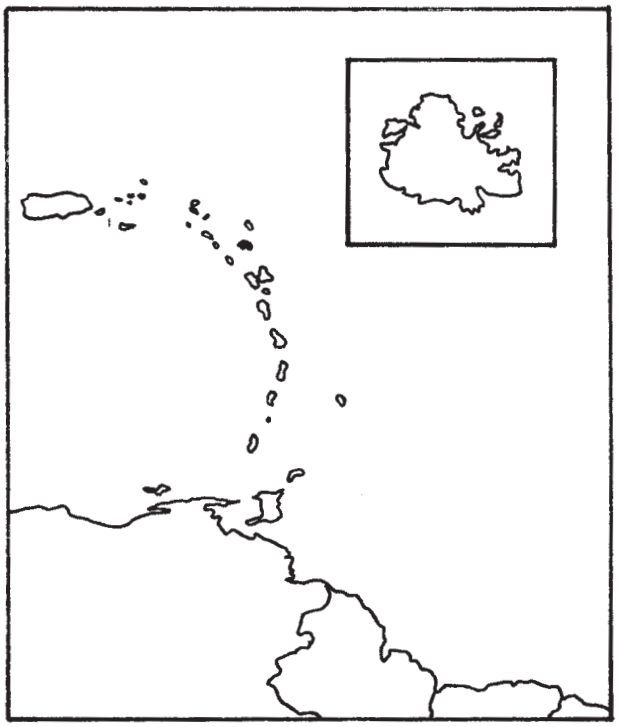
Antigua and Barbuda



Antigua andBaruda are located in the eastern Caribbean; its neighbors are Saint Kitts and Nevis to the west, and Guadeloupe to the South. St. John's is the capital. The constitutional monarchy of Antigua and Barbuda is a multiparty, parliamentary democracy and a member of the Commonwealth of Nations. Queen Elizabeth II, the British monarch and chief of state, appoints a governor general who represents the head of the state with largely ceremonial powers. The cabinet and the prime minister (the leader of the majority party) hold the executive power and are responsible to the Parliament.

The country's population of more than 64,000 is almost entirely of African origin. Other ethnic groups are British, Portuguese, and Levantine Arabs. Anglicanism is the official religion, with other Protestant groups and Roman Catholicism as minor denominations.

Tourism is the principal source of income, along with agriculture based primarily on fruit and vegetable production. Cotton, rum, and lobsters are exported. The United States provides an important source of assistance in the development of counternarcotics and humanitarian civic construction projects.

The British colonized the eastern Caribbean islands in 1632. Antigua and Barbuda became an important destination for African slaves working on sugar plantations. After emancipation in 1834, poor labor conditions persisted until the Antigua Trades and Labor Union was formed in 1939. Its president, Vere Corwall Bird, established the first majority party, the Antigua Labor Party, during the 1946 elections and began a long history of electoral victories which have lasted until the present.

Antigua and Barbuda achieved independence from Britain in November 1981. Since 1994, power has passed on to Lester Bird, Vere Bird's son. Baldwin Spencer of the United Progressive Party is the official opposition representative.

The government generally enforces and respects political and civil rights. Antigua and Barbuda have an independent judiciary. The judicial system is historically tied to the United Kingdom. In case of death sentences, the Privy Council of London is designated as the final court of appeal.

Freedom of speech, press, and communication are respected, although the government has been accused of controlling the media and restricting opposition access. In 1996, a non-governmental radio station sued the state, claiming that its constitutional right to broadcast had been violated. In November 1998, a few attacks were perpetrated against opposition newspaper and party headquarters.

No discrimination based on race, sex, language, disability, or social status has been reported, although the government does not visibly enforce antidiscrimination provisions. Women are limited in terms of career advancement and job opportunities. Violence against women constitutes a serious social problem. Legislation regarding domestic violence has not been enacted. Child abuse is not firmly addressed by the government, although forced or bonded child labor is illegal. There are no laws mandating disabled accessibility. Legislation regarding safety, health, and welfare of workers has yet to be implemented.

Freedom of education, religion, assembly, travel, emigration and repatriation are respected. As of 1999, there were no requests for investigation by individuals or international human rights organizations regarding civil rights abuses or government injustice.

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Argentina

The Argentine Republic is the second-largest country in South America. It is bounded on the west and south by Chile; on the north by Bolivia; and on the east by Paraguay, Brazil, Uruguay, and the Atlantic Ocean. Buenos Aires is the capital. Its population of more than 36 million is composed mostly of Europeans of Spanish and Italian descent. The indigenous population of approximately 700,000 is concentrated in the northern, northwestern, and southern provinces. Argentina has the largest community of Jews in Latin America. Spanish is the official language. Roman Catholicism is the dominant religious denomination.

The economy underwent substantial growth in the 1990s after decades of decline and chronic inflation. Agriculture, industry, manufacturing, mineral resources, construction, and energy (oil, gas, and hydroelectric power) comprise the basis of the capital sectors following a reconstruction period based on trade liberalization, privatization, and public administrative reforms. Unemployment, tax evasion, and a financial crisis represent the major current challenges that Argentina must solve in the years to come.

HISTORY

Now a fully federal constitutional democracy, Argentina experienced years of political instability. Argentina achieved independence from Spain in 1816. National unity and a constitution were established in 1853. Immigration from Europe and foreign investment helped Argentina become a modern nation. A coup d'état gave Argentina a military government in 1943. One of the military coup's leaders, Juan Domingo Peron, became president in 1946. He pursued economic and political policies aimed at benefitting the working class. He was strongly supported by his wife, Eva Duarte de Peron, known as Evita, whose efforts resulted in women's right to vote in 1947. In 1955, Peron was forced into exile by the military. During the 1960s and early 1970s, the military government was unable to cope with economic decline and increasing terrorism. The crisis led to the return and reelection of Peron in October 1973.

However, terrorism from both the right and the left kept escalating, and Peron was forced to issue many emergency decrees. People began to be detained in prison without charges. His third wife, Maria Estela Is-

abel Martinez de Peron, took over Juan Peron's presidency after his death in July 1974. A military coup deposed her in March 1976. The following years were marked by a harsh military rule, which orchestrated what is known as the "Dirty War." Basic human rights were violated in the effort to restore public order and fight terrorism. It is estimated that between 10,000 and 15,000 people disappeared—murdered by government forces—between 1976 and 1983.

A difficult internal situation, characterized by a serious economic crisis, corruption, public unrest, and Argentina's defeat in the Falklands War, forced new democratic elections in October 1983. Raul Alfonsin, the new president, tried to solve the most urgent problems by diminishing the power of the military and consolidating democratic institutions. In 1989, Carlos Saul Menem became president. He was reelected in 1995. Menem dramatically changed the economic situation by encouraging a free market and a pro-U.S. foreign policy. In October 1999, Fernando de la Rua was elected president in what were regarded as free elections. He took office on December 10.

The human rights abuses of the former military government continue to be the focus of national attention and debate. In 1999, for example, leaders of the 1976–1983 junta were arrested on charges of taking babies born to dissidents in detention and offering them to supporters for adoption.

The newly revised constitution of 1994 established a separation of powers at the national and provincial level. Argentina has a bicameral system, in which the president is directly elected, but cannot succeed himself more than once. During the duration

Military rebels surrendering to government forces after a failed coup, December 1990.

of his mandate, the president holds considerable powers. The president is the commander-in-chief of the armed forces as prescribed by the constitution and supervised by the minister of defense. The administration of law and order is overseen by several agencies: the Argentine Federal Police, the Border Police, and the Coast Guard. All are monitored by the minister of the interior. Provincial police are under the control of local governors.

HUMAN RIGHTS

At present, Argentina does a reasonably good job of respecting the rights of its citizens. However, allegations of human rights abuses are still reported. Police officers, in particular, are accused of committing extrajudicial executions, killings, torture, violation of privacy, and the detaining or arresting people without charges. In some cases, the officers involved have been brought to justice, but many complaints have not been filed for fear of reprisal. According to Service for Peace and Justice, a non-governmental organization for human rights, in 1998, street children and minors were arbitrarily detained and beaten by the police in Buenos Aires. The Association Against Police and Institutional Repression has recorded more than eighty cases of arbitrary killings by police 1989.

Prison conditions are very poor in terms of infrastructure, sanitary status, and food supply. They are also overcrowded. The law allows pretrial detention of up to two years. It is reported that in federal prisons, 75 percent of the prisoners are being held in pretrial detention. The judiciary is often inefficient, corrupt, and subject to political influence.

Human rights organizations have urged the judiciary to conclude the investigations of the illegal adoptions of hundreds of children born in secret detention centers during the Dirty War. Argentine authorities are not fully cooperating with Spanish court proceedings investigating past human rights violations. The Spanish court, among the charges against 110 current or former military or police officers, prosecuted the case of former naval officer Adolfo Scilingo, who participated in throwing naked dissidents into the ocean from airplanes during the Dirty War.

The Inter-American Court of Human Rights has urged Argentina to try those found responsible and anyone who participated in the disappearances. In March 1998, the National Congress abolished the Full Stop and Due Obedience Laws that granted immunity to members of the army involved in human rights abuses during the period of military rule between 1976 and 1983. However, the repeal of these laws was not interpreted as being retroactive.

The constitution grants freedom of speech, press, and other forms of communication. However, there are reports of journalists receiving anonymous threats of violence and of being victims of harassment or violence. In January 1998, former navy officer Alfredo Astiz was arrested after a Buenos Aires magazine published his statement regarding his participation in activities at the Navy Mechanics School (ESMA) during the military rule. The ESMA was responsible for the detention, murder, and disappearance of people considered enemies of the military government.

The government respects the right to peaceful assembly and association, although on some occasions police have reportedly broken up demonstrations in several provinces. The law prohibits and punishes discrimination based on sex, race, religion, ideology, political opinion, lan-

guage, disability, or social status. However, women in Argentina do not have the same status and power as men and are sometimes subject to violence, rape, and harassment. In 1992, the National Council for Women was created to implement programs to cope with the problem in cooperation with the United Nations Children's Fund (UNICEF). Women are often not aware of their rights. Although recognized by the law, marital rape is difficult to prove. The National Council for Women also promotes equal opportunity for women in education, employment and politics. Women are paid less than men for equal jobs and occupy a large proportion of positions in the illegal labor market.

Non-governmental and church sources report that child abuse and prostitution constitute an increasing social problem. Although compulsory up to the age of fifteen, education is inadequate in most rural areas. UNICEF estimates that over 200,000 children under age fifteen are working. Acceptable work conditions are not always enforced by the law, especially in the informal sector.

Episodes of anti-Semitism have been reported. According to press reports, police officers were responsible for attacks on two Jewish cemeteries in 1997. The 1992 bombing of the Israeli Embassy in Buenos Aires, and the 1994 bombing of the city's Jewish community center are still under investigation.

Domestic and international human rights organizations are free to operate in the country and report their findings. However, Amnesty International reports that as recently as 1999 human rights defenders were attacked or threatened with death. Particularly targeted were organizations such as Grandmothers of the Plaza de Mayo and Mothers Association of Plaza de Mayo, both of which dealt with the issue of "disappeared" children.

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Armenia

The Republic of Armenia is located in West Asia. It is bounded on the east by Azerbaijan; on the north by Georgia; on the west by Turkey; and on the south by Iran. Yerevan is the capital. Its population of approximately 3.7 million is composed of Armenians (96 percent), Kurds (2 percent), and Russian, Greek, and other ethnic groups (2 percent). The Armenian Apostolic Church (Armenian Orthodox) represents the major religious denomination, with more than 90 percent of the population being nominally affiliated. The official language is Armenian.

BACKGROUND

Armenia has a long history of foreign domination by Persians, Byzantines, Arabs, Mongols, and Turks. For most of its modern history it was a province in the Russian Empire. After the Russian Revolution, it became part of the Soviet Union. In 1922, Armenia became part of the Trans-Caucasian Soviet Socialist Republic, and in 1936, the Armenian Soviet Socialist Republic was formed.

In September 1991, in the wake of the fall of the Soviet Union and the end of the cold war, Armenia achieved its independence as a republic. Levon Ter-Petrossian was elected as president. Ever since, the Armenian National Movement has dominated the government and made efforts to establish a Western-style democracy. The new constitution was approved in 1995, providing for the direct election of the president, a unicameral Parliament and the separation of the executive, the legislature, and the judiciary. The prime minister—the head of the cabinet—is appointed by the president, but can be removed by the Parliament. Both the government and the Parliament can propose legislation. The current president, Robert Kocharian, was elected in March 1998, after Ter-Petrossian was forced to resign following the revelation of irregularities connected with his reelection in 1996. There were also electoral irregularities associated with local elections. Because the judiciary is not fully independent of the executive, it does not enforce constitutional provisions.

On October 27, 1999, five terrorists entered the National Assembly and opened fire, killing seven members of Parliament, including the speaker and the prime minster. The prosecutor in charge of the case has been accused of using physical abuse and other forms of coercion to extract con-

fessions and evidence. Concern for the rights of individuals questioned and detained in connection with this case has been expressed.

Armenia's economy is still struggling to make the transition from a centralized model to a free-market approach. In 1988, the country was devastated by a strong earthquake that killed 25,000 people and left 500,000 without homes. The effects of this catastrophe are still being felt. Additionally, the escalating conflict with Azerbaijan—which began over the disputed territory of Nagorno-Kabarakh in 1988—has led to an economic embargo by Azerbaijan and Turkey, especially in the area of energy supplies from which Armenians are still trying to recover. Since the cease-fire of 1994, however, Armenia has been able to implement several economic programs aimed at developing privatization, full price liberalization, and a free market. Most of the state lands have been redistributed and privatized. Agriculture represents the strongest economic sector; industry's recovery, however, has been slow. Unemployment and underemployment affect about half of the population.

International assistance currently plays a major role in the development of the country's economy and politics. Armenia is a member of the Commonwealth of Independent States, the Organization for Security and Cooperation in Europe, NATO's Partnership for Peace, the North Atlantic Cooperation Council, the International Monetary Fund, and the International Bank for Reconstruction and Development.

An abandoned gas station. An economic embargo by its neighbors left Armenia short of fuel.

HUMAN RIGHTS

Although human rights are broadly protected by the constitution, certain abuses continue to be reported. The Human Rights Committee under the International Covenant on Civil and Political Rights urged the establishment of a special body to investigate allegations of torture, ill-treatment, and arbitrary arrests and detentions, as well as searches without warrants. In some cases, abuses have resulted in prisoners' deaths due to poor prison conditions and inadequate medical treatment. The military is also responsible for serious mistreatment of conscripts. In February 1998, Private Mkrtich Ohanian committed suicide after killing six comrades; his actions were alleged to have been in response to continuous abuse and violence that he had suffered.

The 1999 new criminal code abolished the death penalty and no executions were performed that year, although by the end of 1999 thirty-one men were still on death row. The new code became effective in January 1999. Amnesty International reports that in 1999 at least six prisoners of conscience were detained for refusing to perform compulsory military service. Conscientious objectors are often conscripted by the armed forces, and there have been reprisals against their families. In September 1998, Jehovah's Witness Karen Voskanian was sentenced to three years in prison after having refused to perform military service for religious reasons. Other Jehovah's Witnesses are in prison for the same reason.

The constitution grants freedom of speech and press, although some limits are applied. The government controls a few television channels, and newspapers are not completely free from political pressure. Academic freedom is limited by the government, and the Ministry of Education controls the choice of textbooks and course materials.

The government generally respects the right of peaceful assembly and association, but with troublesome registration requirements. All parties and associations are subject to registration requirements. Human rights and non-governmental groups have been denied registration by the minister of justice.

The constitution prohibits discrimination on the basis of race, sex, disability, religion, language, or social status. However, discrimination against ethnic minorities continues. After the conflict between Armenia and Azerbaijan over the territory of Nagorno-Karabakh, ethnic minorities on both sides suffered from discrimination and harassment aimed at expelling them from their respective countries.

Amnesty International has called for the decriminalization of consensual homosexual relations between adult males, and the release of the prisoners still serving time for this reason. Laws addressing domestic violence, rape, and spousal abuse do not specifically protect women. In general, women are not given the same opportunities as men in career-related jobs, and are significantly underrepresented in public affairs. The disabled are overly subject to societal discrimination, and health care facilities do not meet international criteria.

The law places some limits on religious freedom. The Armenian Apostolic Church is granted special status, whereas all other religions are prohibited from proselytizing and must register with the State Council on Religious Affairs. Jehovah's Witnesses are denied registration, and by law cannot publish newspapers or operate television or radio programs, rent meeting places, or

sponsor visas for visitors.

The government also partially restricts freedom of movement by denying passports to citizens possessing state secrets, having financial claims, or having military duties. There are no specific laws regarding refugees and asylum seekers.

Non-governmental and human rights organizations are free to operate and publish their findings about human rights violations in the country. In April 1998, President Kocharian appointed a former prisoner of conscience as head of a new human rights commission. As a result, all members of the Armenian Revolutionary Federation convicted for political reasons during the trials in 1996 and 1997 were released. Human rights abuses continue in Armenia, but observers from Amnesty International believe that conditions are improving.

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Australia

Australia is located to the southeast of Asia, between the Indian and Pacific Oceans. It is both the smallest continent and the sixth largest country in the world, with a total land area slightly smaller than that of the United States. The climate is mostly arid to semiarid; temperate in the south and east; tropical in the north. The land is generally low plateau with deserts. There is a fertile plain in the southeast. Its population of almost 19 million is concentrated along the eastern and southeastern coasts.

Originally a British colony, Australia became a British commonwealth nation in 1901. It is a parliamentary democracy with a federal system of government. There is also a well-developed and independent system of federal and state courts. The country has a highly developed economy. Racially, Australia is 92 percent Caucasian, 7 percent Asian, and 1 percent Aboriginal and other. Religiously, the country is 26 percent Anglican, 26 percent Roman Catholic, 24 percent other Christian, and 11 percent non-Christian. Australia's constitution forbids the adoption of an official state religion. English is the official language.

HUMAN RIGHTS

Although there is no bill of rights as such, the Australian High Court has ruled that freedom of political discourse is implied in the constitution. Australians enjoy all of the rights normally associated with a functioning democratic system. The government respects human rights in most areas. One problem area has been in the treatment of indigenous people, who have charged that harassment is pervasive and that racism is rampant among police and prison officials. Amnesty International has reported a number of incidents involving such abuses. Prisons meet minimum international standards and visits by human rights monitors are permitted, though treatment of prisoners has been an area of concern in recent years. Another area of concern has been the treatment of immigrants.

A wide variety of human rights groups operate without government restriction (and in some instances with government funding), investigating and publishing their

findings on human rights cases. The law prohibits discrimination based on race, sex, religion, disability, language, or social status, and the government and an independent judiciary generally enforce these prohibitions.

Some observers have estimated that domestic violence is widespread. Spousal abuse is particularly prevalent in some Aboriginal communities. Government statisticians assert that, because of under reporting and other factors, it is not possible to develop an accurate picture of domestic violence. Nevertheless, the Australian government recognizes that domestic violence and discrimination based on sex are serious national problems.

Women are equal under the law, and the law mandates equal pay for equal work. Compliance with these laws are monitored by private and public women's rights organizations at all levels of government. A federal-level Office of the Status of Women monitors women's rights. The federal Sex Discrimination Commissioner receives complaints and attempts to resolve those judged valid. A 1994 UN report estimated that women are paid 90 percent of the wages men receive for similar work (which is a better percentage than for women in the United States).

Australia's commitment to the rights and welfare of children is reflected in its well-funded systems of public education, day care, and medical care. The government strictly prohibits trade in child pornography and prosecutes pedophiles. The country's six states and two territories are responsible for protecting children from abuse and for investigating child neglect and abuse.

Although there are no laws formally prohibiting it, forced labor, including forced and bonded labor by children, is not practiced. While there is no federally mandated minimum age of employment, compulsory educational requirements, monitored and enforced by state educational authorities, effectively prevent most children from joining the workforce until they are at least fifteen or sixteen years of age. Federal and state governments monitor and enforce a network of laws, which vary from state to state, governing minimum school-leaving age, minimum age to claim unemployment benefits, and minimum age to engage in specified occupations.

Approximately 32 percent of the workforce is unionized. Unions carry out their functions free from government or political control. The Workplace Relations Act, which went into effect in 1997, restricts the right to strike to the period when a new wages and working conditions contract is being negotiated. Legislation that went into force in 1994 for the first time legalized what had always been a de facto right to strike. Retribution against strikers and labor leaders is illegal.

Although a formal minimum wage exists, it has not been relevant in wage agreements since the 1960s. Instead, 80 percent of workers are covered by differing minimum wage rates for individual trades and professions, all of which are sufficient to provide a decent standard of living for a worker and family. Most workers are employees of incorporated organizations. For them, a complex body of government regulations, and decisions of applicable federal or state industrial relations commissions, prescribe a forty-hour or shorter workweek, paid vacations, sick leave, and other benefits, including at least one twenty-four-hour rest period per week. Federal or state safety laws apply to every workplace.

Discrimination against the disabled in employment, education, or other state services is unlawful. A Disability Discrimination Commissioner exists for the purpose of monitoring compliance with the law, for enforcing state laws requiring equal access, and for otherwise protecting the rights of the disabled. On the other hand, no federal legislation exists requiring accessibility for disabled people. Furthermore, it is legal to deny employment to those with disabilities if it can be demonstrated that there are reasonable grounds for believing that the disabled would be unable to carry out their assigned work.

ABORIGINAL PEOPLES

Australia's 1975 Racial Discrimination Act forbids discrimination on grounds of race, color, descent, or national or ethnic origin. The Ministry for Aboriginal Affairs, in association with the Aboriginal and Torres Straits Islander Commission (ATSIC), is the principal agency responsible for initiating and monitoring government efforts to improve the quality of life for indigenous people. The federal government spent approximately $1.13 billion in 1997 on health, welfare, education, and development programs for indigenous people.

Despite these efforts, indigenous people experience inferior access to medical and educational institutions, have a measurably shorter life expectancy, and have significantly higher rates of unemployment. Many more Aboriginals than other Australians are arrested and imprisoned. The rate of imprisonment among indigenous people is twenty-one times that of non-indigenous people. More than 45 percent of Aboriginal males between the ages of twenty-one and thirty have been arrested at some time in their lives.

Indigenous groups assert that the Australian government's non-responsiveness to a series of recommendations by the 1991 Royal Commission into Aboriginal Deaths in Custody has contributed to these disturbing statistics. Human rights observers point out that poverty and lack of socioeconomic opportunities create the conditions (e.g., homelessness, unemployment, and boredom) that promote crime among indigenous peoples. Indigenous groups also charge that police harassment of indigenous people, including juveniles, is pervasive. A disturbing pattern of mistreatment and arbitrary arrests takes place against a backdrop of systematic discrimination.

Official statistics have confirmed the common perception among indigenous people that police systematically mistreat them. The average life expectancy of Aboriginals is twenty years shorter than that of other Australians, and the infant mortality rate of indigenous children is three times greater. Also, the maternal mortality rate for indigenous women is five times that of non-indigenous. The incidence of such diseases as tuberculosis, leprosy, and hepatitis is ten times greater among Aboriginal people than among non-Aboriginal people. Statistics in other areas, such as education and employment, are similarly disproportionate.

Government programs, including a $750 million indigenous land fund and a "Federal Social Justice Package," have attempted to address this situation. In July 1998, after a compromise with its opponents, the government was able to pass amendments to the 1993 Native Title Act. Aboriginal leaders were pleased by the removal of the time limit for lodging native title claims but expressed concern about the weakening of Aboriginal rights to nego-

tiate with non-Aboriginal leaseholders over the development of rural property. Aboriginal groups have continued to express concern that the amended act limits the future ability of Aboriginal people to fully protect their property rights. As of 1988–1989, 15 percent of Australian land is owned or controlled by Aboriginal people.

The current administration has opposed issuing an apology to the "Stolen Generation" of Aboriginal children, who were taken from their parents by the government between 1910 and the early 1970s to be raised by foster parents and orphanages. The prime minister has asserted that the present generation is not responsible and therefore not obligated to apologize for the wrongs of an earlier generation.

IMMIGRANTS AND REFUGEES

Public opinion surveys indicate growing prejudice against Asian immigrants. Leaders in the ethnic and immigrant communities have recently expressed concern that the nativist One Nation Party had contributed to the increasing sense of isolation and atmosphere of vilification of immigrants and minorities. However, according to the federally funded but independent Human Rights and Equal Opportunity Commission, during the fiscal year ending June 30, 1998, the number of racial discrimination complaints fell 37 percent from the previous year.

Australia has cooperated with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees. In the case of undocumented migrants and asylum seekers, the government either grants a protection visa with full residence and employment rights, or refuses it, with no intermediate measures. The government forcibly repatriates individuals who it has determined do not have a valid claim to refugee status in accordance with relevant United Nations convention definitions. Human rights and refugee advocacy groups maintain that the government's refugee and asylum adjudication process is applied inconsistently.

Under the Migration Reform Act of 1994, asylum seekers who arrive at the border without prior authorization to enter the country are automatically detained, but may be released from detention if they meet certain criteria—including age, ill health, and experiences of torture or other trauma. The majority of asylum seekers are detained for the duration of the often-prolonged asylum process. The detention policy has led to extensive litigation initiated by human rights and refugee advocacy groups, which charge that the sometimes lengthy detentions violate the human rights of the asylum seekers. The United Nations Human Rights Commission (UNHRC) stated in April 1997 that Australia had violated the rights of a boat person by detaining him for more than four years while his applications to remain in the country were being considered. The UNHRC stated that his detention was arbitrary and in violation of the International Covenant on Civil and Political Rights. In an April report to Parliament, the Human Rights and Equal Opportunity Commission also condemned the government's treatment of asylum seekers as breaching international treaty obligations.

In 1997–1998, Australia accepted 67,100 immigrants, with 12,020 admitted under a humanitarian program, which accepts refugees and those in refugee-like situations in urgent need of resettlement. This figure included 1,553 persons already in the country who were granted refugee sta-

tus. Human rights advocates continued to criticize Australia for holding thousands of asylum seekers in detention (many of them from Kosovo and East Timor), without resolving their cases quickly. Many of those held in detention were young children.

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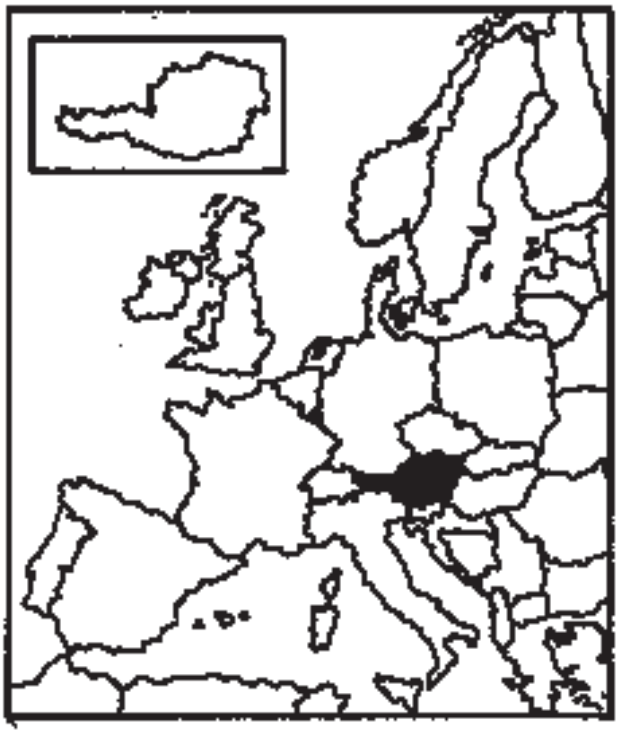
Austria



The Republic of Austria, located in central Europe, is a constitutional democracy with a bicameral federal parliament and an independent judiciary. Vienna is the capital. Its homogeneous population of more than 8 million inhabintants consists primarily of native German speakers. Ethnic minorities include Croats and Slovenes. The major religious denomination is Roman Catholicism.

Once the center of the Hapsburg Empire, Austria's present boundaries were established by the Treaty of Saint-Germain in 1919. In 1938, Austria was incorporated into Hitler's German Reich; it was liberated by the Allies in 1945. In 1955, under the Austrian State Treaty, Austria became a free and independent state. Since the end of World War II, Austrian politics have been characterized by stability. The constitution grants citizens the right to change the government peacefully through universal suffrage. Austria has been a member of the European Union since January 1995. A well-developed market characterizes its economy and the standard of living is high.

Human rights are generally respected. However, hundreds of complaints are filed each year against police officials for violations of citizens' rights in the form of intimidation, use of excessive physical force, and mistreatment. Occasionally, the perpetrators are racially motivated. In 1998, four police officials were prosecuted for committing such abuses. Freedom of speech is granted by the constitution, although a number of allegations regarding brutal police conduct have been reported.

Freedom of assembly and association may be denied organizations such as neo-Nazis or religious sects considered potentially harmful to the society. Otherwise, the government respects the freedom of religion under the 1874 "Law of Recognition." Since January 1998, a new law provides registration policies for unrecognized religious groups to establish their official status as confessional communities. It also provides additional criteria for recognition. Religious law experts have questioned the constitutionality of this law.

Austria cooperates with the United Nations Convention Relating to the Status of Refugees, but its subscription to the "safe country" concept has been criticized. This policy requires asylum seekers to depart

the country if they have entered illegally. A few improvements to the rule were made since 1997. Since 1991, thousands of Bosnian refugees were granted temporary protected status and a large number were integrated in the Austrian labor market. In 1998, applications for asylum increased dramatically following the Kosovo conflict. The Interior Ministry proposed a change in European asylum policy that was highly criticized as an attempt to deny the legal right to asylum. Austrians counter with arguments pointing out that Austria has taken in many more asylum seekers than most other European countries.

The constitution prohibits discrimination based on race, sex, religion, disability, language, or social status, and the government enforces these provisions. Violence against women is a serious social problem, though the great majority of such abuses are not being officially reported. In 1997, new legislation was approved and implemented to better protect women against domestic violence. In addition, trafficking in women from Eastern Europe for the purpose of prostitution is a problem that the police find difficult to control.

Women are underrepresented in civil service. By law, women are not allowed to work at night. Since April 1998, women have been allowed to serve in the military. The law does not grant guaranteed access to buildings to the disabled. Mentally retarded women can be sterilized without their consent. Another social problem is anti-Semitic and other anti-foreign incidents committed by right-wing extremists. In 1997, 280 incidents of this kind were reported.

James R. Lewis

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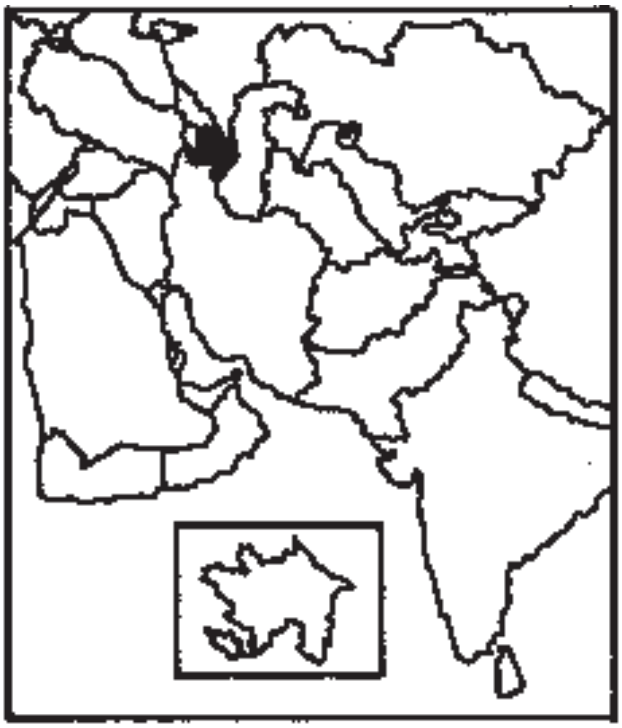
Azerbaijan



The Republic of Azerbaijan is located in southwestern Asia. It is bounded on the south by Iran, on the east by the Caspian Sea, on the west by Armenia and Georgia, and on the north by Russia. The Azeri represent the majority of the population, which is over 7.8 million. Dagestanis, Russians, and Armenians are the other ethnic minorities. Islam is the official religion.

The current constitution was approved by a referendum in 1995. The government consists of a multiparty parliament and features the separation of powers between the executive, the legislature, and the judiciary. The president is elected by popular vote and appoints the prime ministers and the members of the cabinet, who are confirmed by the unicameral National Assembly.

BACKGROUND

Azerbaijan was under the Soviet rule from 1922 to 1991, when it achieved independence and joined the Commonwealth of Independent States. In 1992, it became a member of the United Nations.

Since 1988, Azerbaijan and Armenia have been fighting over the territory of Nagorno-Karabakh. Despite a cease-fire in 1994, violations by both sides continue and negotiations are still in progress. Armenian forces occupy 20 percent of Azerbaijan's territory. Thousands of people are refugees or internally displaced due to the conflict. Ongoing military operations along the border have caused injuries and deaths to members of the armed forces and to civilians.

Azerbaijan's economy embodies all of the characteristics of a former Soviet republic making the transition from a centralized to a free-market economy. The major economic products are oil, cotton, and gas. Privatization of industry is progressing slowly, and most large enterprises are still under governmental control. Commercial agriculture is weak. It is estimated that 60 percent of the population is poor. Government work is the only source of economic opportunity for the average citizen.

In October 1998, irregularities and violations of the election law characterized the reelection of former President Heydar Aliyev. As a consequence, opposition parties are underrepresented in the Parliament. The executive exerts influence on both the legislative and the judicial powers. Most governmental bureaucracies are laced with corruption.

HUMAN RIGHTS

Human rights in Azerbaijan are constantly being violated. Police arbitrarily arrest or detain people, beat persons in custody, and conduct searches without warrants. In a handful of cases, the government has taken action against perpetrators. Prison conditions are very poor and medical treatment is often denied to prisoners. Visits by family members are subject to strict limitations. The judiciary is inefficient, trials are lengthy, and prisoners' rights are not protected.

The government arrests and detains members of opposing parties for political reasons. Non-governmental sources allege that in 1998, authorities were holding seventy-five political prisoners. Freedom of speech and press are not fully respected. Although Azerbaijan officially abolished censorship in August 1998, journalists often exercise self-censorship due to political pressure. The government has a monopoly on publishing facilities. It controls official radio and television stations as well. Registration and licenses for independent newspapers and broadcasts are often denied or are kept pending for long periods. There are reports of journalists being attacked by police or other government officials.

Although granted by the constitution, freedom of assembly and association are restricted due to governmental interests. The government prevents opposition parties from conducting indoor or outdoor meetings. In September and November 1998, more than 100 persons were briefly detained for peacefully participating in opposition demonstrations. The parliament passed a law giving authorities power to regulate and ban demonstrations when necessary. In addition, political parties and other private organizations are required to register and are often denied the ability to freely operate. There have been reports of individuals being fired from their jobs because of their political beliefs.

The constitution forbids discrimination based on race, sex, religion, disability, language, political opinion, and social status. However, violations committed against certain ethnic minorities are a major social problem. In particular, following the Nagorno-Karabakh conflict, Armenians have complained of discrimination in employment, school, and governmental affairs. Amnesty International reports that Armenian civilians were detained solely for ethnic reasons. There are no laws protecting women from spousal rape or abuse, and restrictions are applied toward women in economic life.

Children's education and health care is limited by the difficult economic situation of the country. There are a large number of children who live in refugee camps under precarious conditions. Children are often found begging on the streets of the capital, Baku, and other towns. The law does not specifically prohibit forced labor by children. The government also does not fulfill its provisions regarding the rights for the disabled. Accessibility to buildings for the disabled is not guaranteed by the law.

The constitution grants freedom of religion. However, the Ministry of Justice requires that religious congregations register. Muslims are subject to the Spiritual Directorate of Caucasus Muslims. Armenian churches were closed following the Nagorno-Karabakh conflict.

Citizens can travel freely both within and outside the country, although the government applies some limitations to members of opposition parties. In some cases, Armenians have been harassed for trying to emigrate or to obtain passports. The gov-

ernment has not provided assistance to hundreds of thousands of Azerbaijanis who were expelled from Armenian-occupied territories. They are not allowed to return to their homes, and they are forced to rely on foreign humanitarian aid organizations for their survival.

Azerbaijan tolerates investigations on human rights issues by domestic and international organizations, although it is reluctant to discuss abuses of those rights. The chairman of the Azerbaijan Human Rights Center was threatened with criminal prosecution for reporting about political prisoners. Local non-governmental organizations are denied registration to operate legally.

Since February 1998, the death penalty has been abolished. In addition, President Aliyev has issued a proposal to the Parliament to promote and defend human rights according to the protocols of the International Covenant on Civil and Political Rights. Amnesty International reported that as of 1999 no decision had been made to ratify the proposal.

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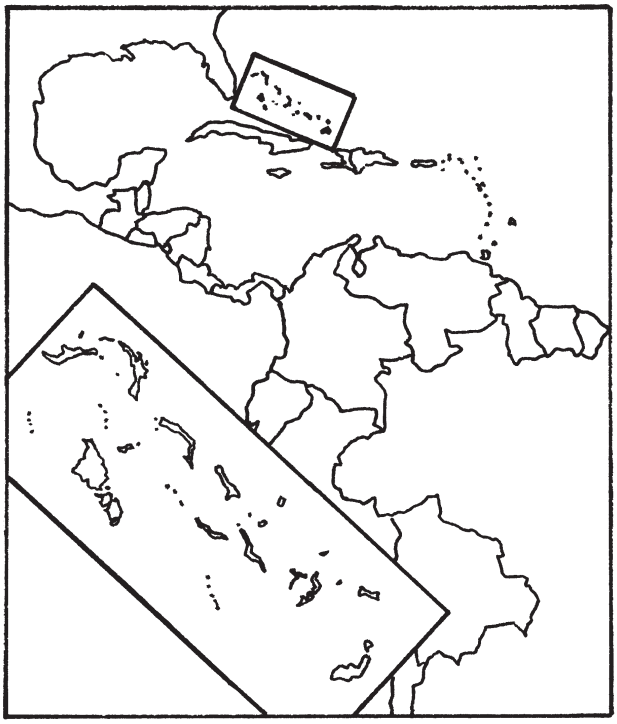
Bahamas



The Commonwealth of the Bahamas is a group of Caribbean islands, 50 miles east of the coast of southern Florida. The capital, Nassau, is located on New Providence Island, where the majority of the population resides. The ancestry of the inhabitants is African (85 percent), European (12 percent), Asian and Hispanic (3 percent). The population is approximately 284,000.

As a constitutional parliamentary democracy and an independent member of the Commonwealth of Nations, its political and legal policies are traditionally linked to the United Kingdom. Queen Elizabeth II, nominal head of the state, appoints a governor general as representative of the British monarch. The prime minister is the head of the cabinet. The bicameral legislature performs its functions under the 1973 constitution. The judiciary is independent; the Privy Council of the United Kingdom is used as the highest Court of Appeal.

When Christopher Columbus "discovered" the Western Hemisphere in 1492, his first landfall was in the Bahamas. The islands became a British colony in 1717, and, in the early nineteenth century, served as a staging area for the slave trade. During World War II, the Allies used the islands as a base for military training and operations. In 1964, self-government was achieved, with full independence within the Commonwealth following in 1973.

The economy is dependent on tourism and financial services. There are few domestic resources and little industry; nearly all food and manufactured goods are imported. Underemployment and poverty are major problems.

The government generally respects human rights. Human rights organizations are free to operate in the country. Concerns have been expressed regarding police abuses. There have been reports of beatings of criminal suspects by police officials. In 1998, one person died in police custody. Of the many complaints filed, only a few are properly addressed by the Police Complaints and Discipline Unit. In addition, incidents of police misconduct often go unreported. Conditions at Fox Hill, the nation's only prison, are harsh. Cells are overcrowded, poorly ventilated, and ill-equipped. Many prisoners do not have beds and sleep on the floor. Sanitation conditions are extremely poor.

An antidrug march.

There are also complaints of arbitrary arrests and lengthy pretrial detentions. The government does not provide legal representation except for suspects charged with capital crimes. Illegal immigrants are detained until they can leave the country or receive legal status.

No legislation exists to process applications by asylum seekers. Human rights organizations such as Amnesty International have urged the government to ensure that all asylum seekers be treated according to international standards. In 1998, almost 400 illegal Cubans were repatriated. Many with a legitimate fear of prosecution and seeking asylum did not have access to the United Nations High Commissioner for Refugees.

Domestic violence and abuse against women are widespread problems. A number of sources claim that child sexual abuse is also increasing. Also, according to recent reports, the authorities are not enforcing regulations regarding equal opportunities and accessibility for the disabled.

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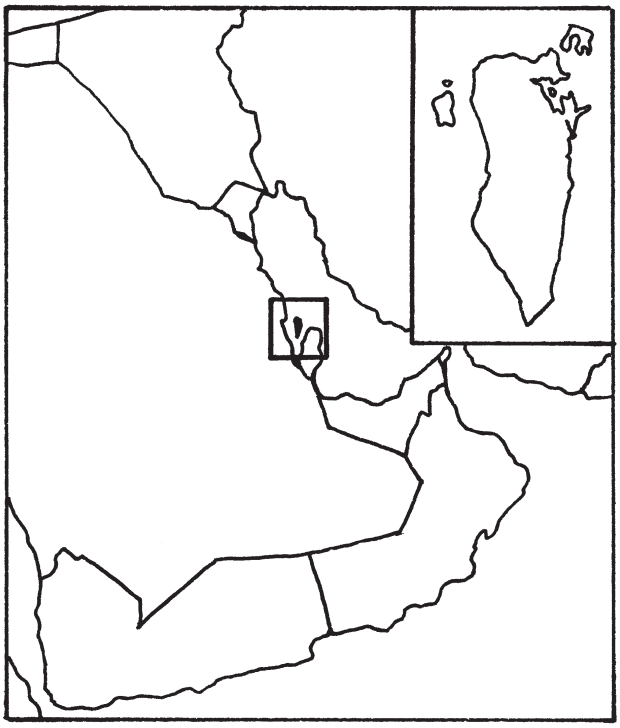
Bahrain



Bahrain is an archipelago of thirty-three islands located roughly in the mid-south of the Persian Gulf, off the east coasts of Saudi Arabia and Qatar. A causeway (opened in 1986) links Bahrain to Saudi Arabia. Bahrain is the smallest country among its immediate neighbors with a total area of about 270 square miles. Bahrain's population is a little over 634,000. Foreigners are mainly from India, Pakistan, Bangladesh, and the Philippines, and make up almost 39 percent of the population. Foreign workers, mainly underpaid and unskilled, hold approximately 130,000 jobs in Bahrain out of a total workforce of 239,000. Bahrain is a monarchy.

BACKGROUND

Like most of the Gulf states, Bahrain was a British protectorate between 1861 and 1971. This period witnessed the consolidation of the tribal rule of the Al-Khalifa dynasty that invaded Bahrain from the mainland in 1783. A feudal regime ruled Bahrain until 1923. In 1926, Britain appointed Sir Charles Belegrave to create a modern administration for Bahrain. Modern education had already begun in 1919, and in 1926, Bahrain witnessed the first election for the municipality of the capital city. In 1932, oil was discovered.

In 1954, a major uprising calling for a Parliament and civil rights took place. The movement was crushed with the help of the British army in December 1956, and three of the nationalist leaders were exiled to the British island of St. Helena. National demands for a Parliament and constitution were met in 1971, following the declaration of independence earlier that year. In 1973, a thirty-member National Assembly was elected. In addition to the elected members, fourteen ministers became ex-officio members. More than half the cabinet were members of the Al-Khalifa family.

In 1974, the government proposed a bill for "state security" empowering the interior minister to detain political activists for three years without charges or trial. The debate over the illegality of the law continued until the August 25,1975, when the amir (head of state) decided to dissolve the Parliament and suspend key articles of the constitution. A pro-democracy movement emerged calling for the reinstatement of Parliament and restoration of the suspended articles of the constitution. The government responded by beginning a process aimed at concentrating power in the hands of a few persons from the ruling family. To

achieve this, the Interior Ministry was given a free hand to persecute the opposition.

The 1980s witnessed an escalation of repression and sectarianism. Following the liberation of Kuwait in 1991, a Gulf-wide pro-democracy movement resurfaced, calling for the opening of traditional monarchies and greater popular participation in public life. In 1992, a broad-based committee sponsored a petition calling on the amir to restore Parliament and reinstate the rule of constitutional law. The petition was signed by more than 300 professionals from all sectors of Bahraini society. In 1994, yet another petition was sponsored by a broad-based group, the Committee for Popular Petition (CPP), which managed to gather some 25,000 signatures from the public in support of the return of parliamentary and constitutional life to Bahrain. The amir refused to receive the petition. In December 1994, security forces began a crackdown campaign to silence the popular call for democracy. This led to the proliferation of protests and many people were detained. Some forty people died in detention or during demonstrations, and the country was plunged into the most serious disturbances it had faced for many decades.

The political situation in Bahrain continued to deteriorate after 1994, and many human rights and international groups voiced their concern. In February 1995, the European Parliament condemned the State Security Law and the British chief of Bahrain security, Ian Henderson. The resolution stated that Parliament was "shocked that the Bahrain government has resorted to the ruthless use of force by the security forces resulting in several deaths, many injuries, the detention of hundreds of persons, and the deportation of prominent personalities," and "that the security forces in Bahrain are to a large extent directed by a British officer, Ian Henderson."

HUMAN RIGHTS

In September 1995, Amnesty International issued a major fifty-page report entitled "Human Rights Crisis in Bahrain" that called on authorities to end torture, arbitrary detention, unfair trials, and various other abuses. In March 1996, the UK Parliamentary Human Rights Group issued a fourteen-page report detailing further abuses in Bahrain, and called on Bahraini authorities to heed calls for reforms and cease human rights violations. In July 1997, the U.S.-based Human Rights Watch issued a major 107-page report on Bahrain titled "Routine Abuse, Routine Denial: Civil Rights and the Political Crisis in Bahrain."

The Interior Ministry is the largest organization in the country. It has approximately 10,000 paramilitary personnel (which is roughly equal to the army of Bahrain), as well as a complex structure of many thousands of officers, staff, and networks of informers. Political detentions are handled by several departments, depending on the seriousness of issue. The General Directorate for State Security Investigations (the intelligence department) handles the top cases.

The security agencies are given a free hand to deploy any methods they choose for extracting confessions from detainees. Detainees are given the option of signing confessions (often fabricated by the security officers themselves). Otherwise, they remain in detention for three years without trial or charge under the provisions of the State Security Law. Many are detained without charges for more than three years because the three-year period is renewed.

After a person signs a confession, he or she is taken before an "investigating judge" to restate the confession and to re-sign it. If a detainee refuses, he or she is taken

back for another round of ill-treatment. Following this stage, the detainee is taken before the State Security Court. The political environment directly influences the outcome of every trial conducted by the State Security Court.

The citizens of Bahrain are suffering from the violation of their right to due process under the law. The number of people affected by this violation is on the increase. The State Security Law of 1974, the State Security Court Decree of 1976, and the subsequent expansion and enlargement of the jurisdiction of these measures in 1996, combine to give state security agencies and the biased legal system a free hand to conduct dawn raids on a daily basis, detain citizens for prolonged periods, and to then summarily sentence them without a proper defense or the right of appeal.

Amnesty International stated on April 16, 1998, that the "procedures followed by Bahrain's Supreme Civil Court of Appeal, in its capacity as a State Security Court, have resulted in manifestly unfair trials. This special court routinely violates provisions of Article 14 of the ICCPR, as well as provisions of Bahrain's Constitution." Amnesty International went on to say, "When facing trial before the State Security Court, detainees are denied access to legal counsel from the moment of arrest until they are brought to court. This means that although defendants may appoint lawyers of their own choosing, the first contact can only happen on the first day of trial, just moments before the opening session. This violates Principles 15 and 18 of the UN Body of Principles. Clearly, inadequate time is given for the preparation of the defense. Moreover, defense lawyers are not granted access to court documents before trial, so they cannot familiarize themselves with the facts of the case before meeting their clients for the first time in court. Even after the first session, defense lawyers have only limited access to their clients."

Amnesty International confirmed that "during trial, the State Security Court is not required to summon witnesses to give evidence or for cross-examination. Such evidence may be submitted in writing. Defendants can be convicted solely on the basis of uncorroborated confessions given to police or security officials, even in cases involving the death penalty, and even when there appears to be evidence that such 'confessions' were extracted under torture. To date, it appears that no thorough and independent investigations into allegations of torture, which have been both frequent and consistent, brought by defendants has ever been carried out. Under Bahraini law, there is no right to appeal to a higher tribunal against conviction and sentencing by the State Security Court."

Arbitrary detention has become a feature of life in Bahrain. Citizens expect to be detained without warrants, mostly in the middle of the night or during dawn raids. Raids follow reports from informers that the targeted citizens have "meddled in politics." Meddling in politics could mean anything from reading a newspaper and cynically commenting on a government statement, to publicly calling for change. The person is then subjected to intense sessions of ill-treatment intended to force confessions. Those who are released are made to sign a declaration that they will never meddle in politics again, and if they do so they deserve to be interned and dealt with "properly."

Children from the age of seven are included in arbitrary detention. Many women have been arrested, subjected to torture, and threatened with sexual assault. Some have been molested by officers who continually touch sensitive parts of the body

as part of the threat of sexual assault.

Bahrain is unique in forcibly deporting members of the indigenous population, while at the same time importing people from the Syrian desert and granting them full citizenship. Amnesty International issued a special report in 1993 explaining the graveness of this violation, with lists of names of people who had been forcibly exiled.

The practice of forced exile continues. In the period between April 1999 and July 1999, no fewer than thirty-two persons were forcibly deported to the United Arab Emirates, Saudi Arabia, Syria, Iran, and elsewhere.

Discrimination among the citizenry is common in Bahrain. Some 20 percent of the top 420 executive positions in the country—strategic positions such as defense, security, foreign affairs, industry—are monopolized by members of the ruling family. The balance of the positions are distributed on a discriminatory basis, taking into consideration the ethnic and religious background of each person.

It was hoped that the death of the late amir, on March 6, 1999, and the accession of his eldest son, Sheikh Hamad bin Isa Al-Khalifa, would be an opportunity for a new page in Bahrain's troubled history. After officially acceding to the throne in June 1999, the new amir made several changes. He ordered the release of hundreds of political detainees and prisoners and allowed representatives of both Amnesty International and the UN Working Group on Arbitrary Detention to visit the country. In October, he issued a decree commanding the Shura (Consultative) Council to establish a human rights committee to "study all human rights legistation and regulations that apply in Bahrain" and to "raise awareness of human rights, take part in seminars, and conduct studies and research in the field." The new amir also announced forthcoming elections. These reforms signaled that Bahrain's human rights record might well improve in the coming years.

Mansoor Al-Jamri

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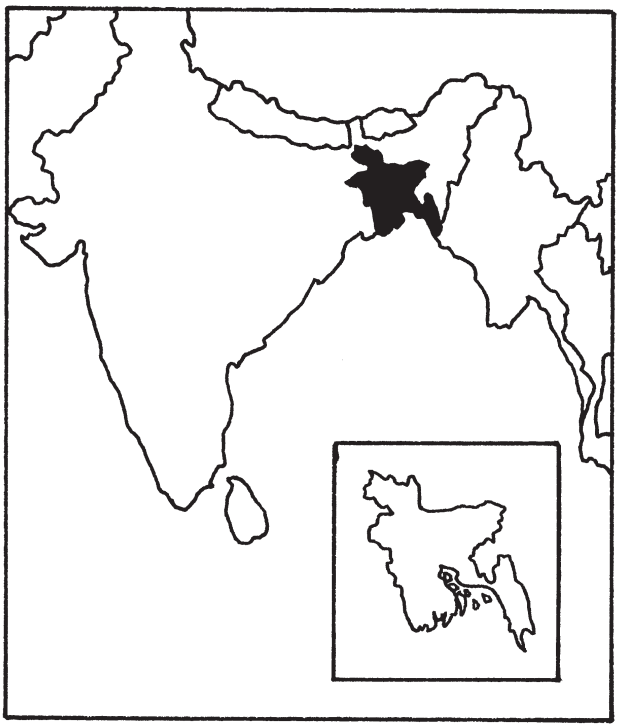
Bangladesh



The People's Republic of Bangladesh is located in South Asia, bounded on the north, west and east by India; on the southeast by Myanmar (formerly Burma); and on the south by the Bay of Bengal. Of its population of approximately 125 million, most are ethnic Bengali. Non-Bengalis of Indian origin and various tribal groups comprise the remainder. English is spoken in urban areas among educated people. Most of the population is Muslim (about 88 percent); Hindus constitute the second-largest religious group (11 percent), while Buddhists, Christians, and others are smaller minorities.

BACKGROUND

Bangladesh has a rich historical and cultural tradition. Part of the Indian subcontinent, it became independent from Great Britain after World War II as part of Pakistan. Bangladesh achieved independence from Pakistan in 1971, and became a parliamentary democracy. It has been a member of the United Nations since 1974. The recent history of Bangladesh has been characterized by successive military coups, martial law, and antagonism between opposing political forces. Years of ineffective government, pervasive corruption, and economic mismanagement have all contributed to the current sad state of the Bangladeshi economy.

Bangladesh is one of the world's poorest, most densely populated, and least developed nations. Its economy is largely agricultural, and the chief crop is rice. Natural disasters such as cyclones and floods have long plagued Bangladesh. The worst flood of the twentieth century took place in 1998 and covered two-thirds of the country. Other factors include the inefficiency of state-owned enterprises, a rapidly growing labor force that cannot be absorbed by the agricultural sector, delays in exploiting natural gas resources, inadequate power supplies, and slow implementation of economic reforms.

Frequent strikes crippled the economy between 1995 and early 1996. When Prime Minister Sheikh Hasina Wajed, leader of the Awami League, came to power in mid-1996, there was a return to normal economic activity. The current government has made some improvements in the areas of providing a basis for foreign investments and liberalizing capital markets. Opposition from the bureaucracy, public sector unions, and

A victim of a 1991 cyclone lays in the open street with an intravenous tube in her arm.

other vested interest groups has prevented progress on the economic reforms.

When new constitutional amendments were enacted in 1991, Bangladesh passed from a presidential system to a Parliament-led system, in which the central political leader is the prime minister. The president's duties are now mainly ceremonial, while the prime minister is head of the government. The lack of democracy that has characterized Bangladesh since 1991 has allowed the exercise of extraordinary powers by the prime minister, who determines major governmental policies with little or no involvement by the Parliament. In 1998, however, committees composed of members of Parliament were formed to monitor the government's work.

The prime minister is appointed by the president and must be a member of Parliament (MP), with the confidence of the majority of other MPs. The prime minister selects, and the president appoints, the ministers of the cabinet. The legislature is unicameral and elected by universal suffrage every five years. The judicial system is a civil court system based on the British model. The Home Affairs Ministry controls the police and the paramilitary forces.

HUMAN RIGHTS

The government restricts or denies many fundamental human rights to its citizens. Bangladeshi politics has always been characterized by pervasive violence. Irregularities and intimidation of voters often mar elections. Although international observers found that the 1996 elections were free and fair, the major opposition party to the Awami League, the Bangladesh National Party (BNP), boycotted the Parliament.

Supporters of the ruling and opposition parties clashed violently during strikes and demonstrations, resulting in deaths. Activists of the ruling party's student wing mutilated at least three opposition student leaders by chopping off their hands. In November 1998, three persons were killed and more than 100 injured in Dhaka after the opposition party called a general strike.

The Awami League government has frequently been accused of abusing its powers. Section 54 of the Criminal Code, which provides for the detention of suspected criminals, has been used to harass or intimidate political opponents and their families. The BNP has alleged that dozens of its members in Parliament, and thousands of its supporters and party workers, have been falsely accused in criminal cases. Additionally, the Special Powers Act (SPA) is em-

ployed to arbitrarily detain citizens without formal charges for an indefinite period. It is believed that in 1998 the authorities detained 2,949 persons under the SPA for political reasons. Serial detentions have been used to prevent the release of political activists.

Police commit extrajudicial killings, torture, arbitrary arrests, and detentions. In addition, they conduct searches without a warrant. Violence takes place in police custody in the form of beatings during arrests and interrogations. Occasionally, electric shock is used. Official reports showed that six persons died in police custody during 1998. In July 1998, a student was beaten to death in police custody. The autopsy showed that brain hemorrhage was the cause of death. Twelve police officers and a local Awami League leader were charged with his death. However, police abuses were rarely punished in many cases. Additionally, the police have raped female detainees in custody, along with many other women who were not in custody. There have been no arrests of the police officers involved in these incidents.

Demonstrators often clash with police during rallies, and the police use lethal force in response. In July 1998, the security force fired on demonstrators, killing one woman and wounding many others. No judicial action was taken against the perpetrators. Vigilante violence by private citizens is also a serious problem. In particular, women living in rural areas are reportedly victims of vigilantism for perceived moral transgressions. They have been subjected to humiliating and painful punishments, such as whippings or having their heads shaved.

Security organizations, such as the Special Branch, the National Security Intelligence, and the Directorate General Forces, conduct surveillance of citizens to detect opposition sympathizers.

Prison conditions are reported to be very poor and a contributing cause to deaths of prisoners. Prisons are overcrowded, do not have medical facilities, and lack hygienically processed food. The government denies prison visits to human rights monitors.

Trials and pretrial detentions are lengthy. In November 1998, government reports estimated that almost 600,000 cases were pending in criminal and civil courts, while 37,000 people were still awaiting trial or under trial. Although the constitution provides for an independent judiciary, in practice the lower courts are corrupt, fall under the influence of the executive, and are reluctant to challenge the government in politically controversial cases. These conditions prevent many persons from obtaining justice and a fair trial.

The government does not enforce the constitutional provisions regarding freedom of speech and press. Newspapers are not directly restricted. However, journalists apply self-censorship for fear of harassment, retaliation, and physical harm from both the government and the opposition. There have been attacks and death threats against journalists and editors by government officials and political party activists. The government controls radio and television, which offer little coverage of opposition party news. There are no restrictions on access to foreign radio or on the installation of satellite dishes.

A government film censor board reviews local and foreign films for purposes of censorship. Foreign publications are subject to review as well. Censorship may be applied on the grounds of state security, law and order, religion, obscenity, and foreign relations. The government provides for academic freedom, but rival student political groups have undermined most university academic activities. Bangladesh limits free-

dom of assembly and association. Individuals can be charged with conducting unauthorized demonstrations. A magistrate must approve public meetings.

The International Labor Organization has requested Bangladesh to reform the provision regarding the current restrictions on the right of workers to organize unions. There have been complaints filed with the Registrar of Trade Unions regarding anti-union discrimination and harassment by employers. The private sector discourages union activities and workers have been fired for such activities. In general, the government does not enforce workers' rights.

The constitution prohibits discrimination based on race, sex, religion, disability, language, and social status. However, these provisions are not enforced. Women's basic freedoms are not protected. They do not have equal opportunities in academic, economic, and social life. Domestic violence, rape, and incidents of vigilantism against women are widespread. Women are often unaware of their rights and accept the social stigma imposed on them.

The trafficking of Bangladeshi women and children for prostitution within Bangladesh or in other Asian countries is ignored by the police, who often accept bribes to ignore such activities. The United Nations Children's Fund (UNICEF) reported that there were an estimated 10,000 child prostitutes in Bangladesh. Because of extreme poverty, children are also exposed to abandonment, mistreatment, and forced and bonded labor at a very young age. The law prohibits child labor; however, it is a serious problem, and some children work in conditions that resemble slavery. Although education is compulsory until the age of ten, the government does not enforce the law because of a lack of resources. Consequently, a high percentage of children between the ages of five and ten are not enrolled in school.

The constitution grants religious freedom. However, religious minorities experience discrimination from the Muslim majority. Ethnic minorities have complained of loss of land to Bengali Muslims. A 1997 peace accord ended a twenty-five year conflict in the area known as Chittagong Hill Tracts. Since 1970, thousands of tribal families have been displaced from their land and replaced with Bengali inhabitants. Violence between indigenous tribes, settlers, and governmental forces resulted in repeated violations of human rights. In February 1998, the repatriation of 60,000 tribal refugees was completed.

The constitution does not provide for refugee or asylum status, but Bangladesh generally grants assistance to refugees or asylum seekers in cooperation with the United Nations High Commission for Refugees (UNHCR). However, in July 1997, 400 Burmese refugees were forced to repa-

Poor women waiting to receive medicine at an American clinic in Bangladesh.

triate despite their fear of persecution in Myanmar (Burma).

Bangladesh generally cooperates with human rights organizations and monitors. Registration was, however, denied to the Bangladesh section of Amnesty International in order to prevent it from receiving foreign funds. In addition, human rights organizations and activists have been harassed or received threats from government intelligence agencies. The government has been sensitive to international opinion on human rights issues, and in October 1998, it expressed approval of the International Covenant on Economic, Social, and Cultural Rights and the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.

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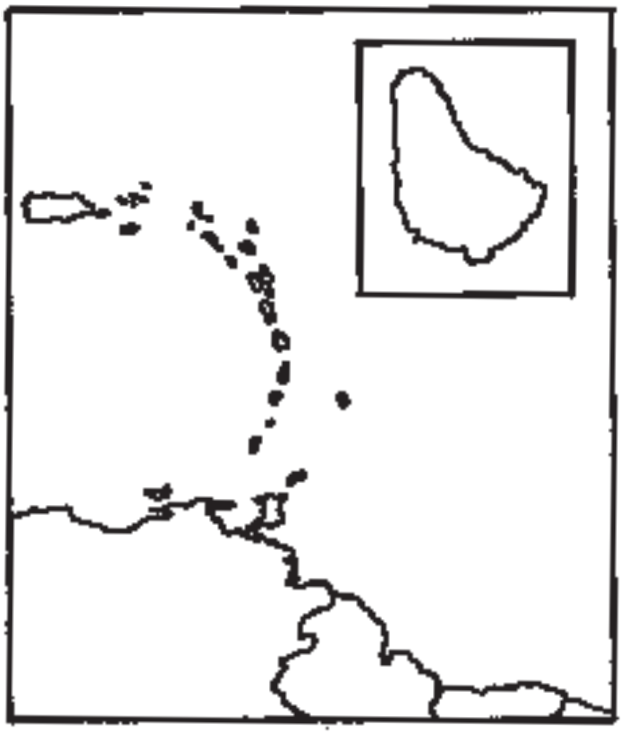
Barbados



Barbados is an island in the eastern Caribbean and an independent sovereign state within the British Commonwealth. Bridgetown is the capital. Approximately 260,000 inhabitants reside on the island and about 80 percent are of African descent. The remainder are European (4 percent) or mixed (16 percent). About 70 percent of Barbadians are Anglican, while the rest are Roman Catholic, Methodist, Baptist, and Moravian.

A British colony since 1627, Barbados achieved full independence in 1966. Barbados is a parliamentary democracy with its own constitution. The British monarch, Queen Elizabeth II, is nominally the head of state and represented by a governor general. The prime minister is the head of the cabinet that controls the government. The bicameral Parliament is composed of the House of Assembly and the Senate, whose members are elected by universal suffrage. The judiciary is independent.

Barbados has been a member of the United Nations since 1966 and of the Organization of American States since 1967. In 1973, Barbados signed the treaty to found the Caribbean Community and Common Market (CARICOM).

Tourism, manufacturing, sugar production, and financial services comprise the main parts of the economy. After a deep economic recession in 1990, Barbados has been recovering in recent years. In 1996, approximately 14 percent of the population were unemployed, and the public sector remains the largest single employer.

Human rights provisions are widely respected and enforced by the government. However, some violations have been reported. There have been many allegations of police misconduct and abuse of detainees while in custody. Police officers beat prisoners and use force to extract confessions. In December 1998, the police detained two foreign citizens for interrogation concerning a bank robbery. Both men received physical injuries while in custody. The only prison is overcrowded and conditions are poor. Alternatives to imprisonment are planned to alleviate the problem of overcrowding.

Although women are active members of society and well represented in all sectors of national life, abuse of women is a serious problem. Additionally, violence against children has increased dramatically in the past several years. The Child Care Board reported more than 1,100 cases of child abuse in 1997–1998.

The law does not provide against discrimination based on disability in employment, education, or state services, although the majority of new buildings are accessible to the disabled. Overall, the government respects worker's rights, although health and safety provisions are not always enforced.

Human rights organizations are free to operate in the country. The Caribbean Human Rights Network has its headquarters in Barbados and serves the Caribbean-wide region in investigating human rights abuses.

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Belarus

The Republic of Belarus is a country in east-central Europe. It is bounded on the south by Ukraine; on the east by Russia; on the west by Poland; and on the north by Latvia and Lithuania. Minsk is the capital city. The population of approximately 10 million comprises Belarussians (78 percent), Russians (13 percent), Poles (4 percent), and Ukrainians (3 percent). The official language is Belarussian (White Russian). Most of the population belongs to the Russian Orthodox Church.

The Republic of Belarus was proclaimed at the end of World War I from the ashes of the Russian Empire. In 1918, however, the country was occupied by the Red Army. In 1991, following the break-up of the Soviet Union, Belarus achieved independence.

Belarus is a constitutional democracy. The constitution was ratified in 1994. However, in 1996, following a flawed national referendum, the president, Aleksandr Lukashenko, amended the constitution and expanded his powers by ignoring the ruling of the constitutional court. Moreover, he created a new Parliament after dismissing the previous one. The constitution now restricts the Parliament to meeting twice a year for no more than 170 days. The president has the power to rule by decree when the Parliament is not in session. Although the constitution provides for an independent judiciary, in practice it remains under the control of the executive. The international community has not recognized the legitimacy of the new constitution.

Belarus has a centrally planned economy. Economic conditions have significantly deteriorated in recent years. In 1998, monthly wages dropped 170 percent, from $88 to $33. The majority of the workforce is employed in state industries and agriculture.

HUMAN RIGHTS

The human rights record of Belarus has worsened since the president solidified his power. Decision making and real political power rests in the hands of a few leaders, particularly the president. It is the president who initiates legislation.

The security forces, which are controlled by the president, routinely commit human rights abuses in the form of torture, beating of detainees and political opponents, and arbitrary arrest and detention. Additionally, in many cases, police officers fail to inform suspects of their legal right to counsel before an interrogation. Moreover,

there have been many politically motivated arrests with approximately 11,000 detainees awaiting trial for political reasons.

Prison conditions are poor and do not meet minimum international standards. Severe overcrowding, inadequate nutrition, lack of sanitation and medical care, and the spread of diseases, including tuberculosis and syphilis, have been reported as the most serious problems. It is estimated that approximately 64,000 inmates are detained in facilities built to accommodate only 41,000. Occasionally, human rights monitors have received permission to visit prisons; however, requests for meeting with individual inmates are often denied.

The right to a fair trial is hampered by the influence that the executive exerts on the judiciary. Prolonged pretrial detentions are common. In addition, many lawyers have been disbarred for arguing cases concerning political prisoners.

Authorities routinely infringe on the citizens' right to privacy by monitoring telephones and reading personal mail for alleged security reasons. Moreover, politicians, human rights monitors, and other members of non-governmental organizations (NGOs) believe that the security forces routinely monitor their conversations and correspondence.

Freedom of speech and of the press is restricted. A decree prohibits citizens from expressing opinions critical of the government. The government maintains a monopoly on the media and the press, and it often denies accreditation of journalists opposing the regime. A few independent radio and television stations operate at the local level in some areas of the country. Academic freedom is also restricted.

Belarus severely limits the right to peaceful assembly and association. In 1998, many peaceful demonstrations were held in the city of Minsk, but they were kept under strict governmental control and were not covered by the media. Additionally, there were reports of harassment of demonstrators by security forces.

The authorities usually deny permission to opposition groups to meet in public buildings. The government does not respect the freedom of workers to associate and bargain, and opposes the formation of independent trade unions.

While the constitution provides for freedom of religion, in practice this right is restricted. Foreign missionaries are limited in their activities, and have often been arrested or expelled from the country.

Belarus does not protect women against discrimination in employment, salary, and career opportunities. They remain underrepresented in the political life of the country as well. Moreover, violence against women, including spousal abuse, is a problem. The government is committed to children's welfare. In particular, since the Chernobyl nuclear plant incident in 1983, several programs have been implemented to address health care for children. There is no societal pattern of child abuse.

The right of citizens to move within the country is restricted. One must register for residency in one city, and may not change residency without permission. In general, citizens can travel abroad. However, visas have occasionally been denied to members of opposition groups. Additionally, many political opponents cannot emigrate and their passports have been confiscated.

The constitution grants asylum and refugee status. Belarus has generally cooperated with the United Nations High Commissioner for Refugees and other non-governmental organizations in assisting refugees.

Several human rights organizations operate in the country and Belarus usually allows international human rights monitors to visit the country. Local human rights groups, however, find government officials far less cooperative. Authorities often restrict their activities through tax audits and denial of registration. In a few instances, human rights monitors have been arrested while observing a public demonstration.

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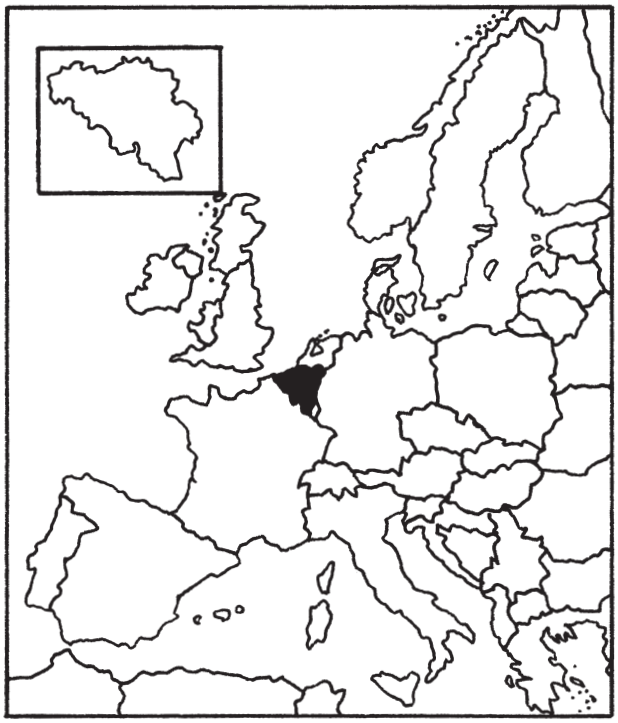
Belgium



The Kingdom of Belgium, situated in northern Europe, is bounded on the north by the Netherlands; on the east by Germany and Luxembourg; on the south by France; and on the northwest by the Northern Sea. It has a population of approximately 10 million. The official languages are French and Flemish (a Dutch dialect). Roman Catholicism is the official religion.

Belgium is a constitutional monarchy. King Albert II is the chief of state. Formally, he represents the source of all executive authority, but in practice, the Council of Ministers (the cabinet) makes all decisions concerning the administration of the government. The Parliament is composed of the Senate and the House of Congress. Elections are held every four years for both parliamentary bodies. The prime minister, who is the chief of the cabinet, holds his office for as long as he holds the trust of the House of Congress. Belgium is a federal state, encompassing Flanders, Wallonia, and Brussels as its regions, each of which has local administrative power. Belgium's economy is highly industrialized, and provides citizens with a high standard of living.

HUMAN RIGHTS

In general, the government respects its citizens' human rights. Recently, Belgium passed a series of laws criminalizing domestic violence against women. There are no reports of violations of human rights by the police or by the government. Prisons meet international standards. Each citizen is granted a fair trial by the constitution, and both the government and the judiciary respect this right. Pretrial detention can be lengthy. It is estimated that 40 percent of the prison population are in pretrial detention. In recent years, there have been several efforts by the judicial system to ensure more effective trials and investigations.

The law expressly enforces the rights of citizens' privacy in family, home, and correspondence. The law also grants freedom of speech and press. The government owns several radio and TV stations, but it does not control the content of their programs. Although the constitution grants the right of assembly and association, the Antiracism Law expressly forbids membership in groups advocating discrimination.

A racist poster by the anti-immigrant party Vlaamse Blok, which reads "For self-defense."

The constitution grants the right of asylum to those asking for it, although asylum seekers arriving illegally can be detained up to five months and forcibly repatriated if asylum is denied. In September 1998, Semira Adamu, a Nigerian woman, was denied the right of asylum because her claim was ruled unfounded. She tried to resist the police and died after being abused. The autopsy determined that she had died of asphyxia, and three policemen were tried for manslaughter.

Following the mass murder/suicides of Solar Temple members in Switzerland and later in France, much of Europe was swept up in antisect reaction. Belgium was no exception. In 1998, Parliament adopted recommendations from a 1997 commission report on minority religions. Some of these groups were labeled "harmful," which was defined as any group posing a threat to society or to individuals. In October 1999, a government-sponsored Center for Information and Advice on Harmful Sectarian Organizations opened. Thus far, the center's staff and activities have been limited. Actions recommended by the commission, such as the establishment of a specialized police unit devoted to minority religions, have not been implemented.

The commission report as well as the actions taken by Parliament have been criticized as undermining religious freedom, and have generated international contro-

versy. In March 1999, the French-speaking community of Belgium launched a conversion-prevention campaign called "Gurus, Beware!" In April 1999, the Anthroposophical Society, one of the groups discussed in a brochure issued in connection with this campaign, filed suit to halt its distribution until all defamatory language referring to the society was removed.

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Belize

Belize, formerly British Honduras, is located in Central America. It is bounded on the north by Mexico, on the west and south by Guatemala, and on the east by the Caribbean Sea. Belmopan is the capital. Creoles, Garifunas, Mestizos, and Mayans compose the population of approximately 235,000 people. English is the official language, but Spanish as well as Creole dialects are also widely spoken. Roman Catholicism, Anglicanism, Methodism, other Protestantism, Islam, Hinduism, and Buddhism are the major religious denominations.

The country's economy is based on agriculture and tourism. The high cost of labor and a small domestic market have limited industrial growth. However, the U.S. Embassy has reported that there are 185 American companies operating in Belize, including Texaco, Esso, Archer Daniels Midland, and Dominion Resources. Belize has made tourism its second most important sector of economic growth after agriculture.

Belize became a British colony in 1862. The constitution adopted in 1954 provided for limited self-government. In 1981, Belize achieved full independence. Belize is a parliamentary democracy and a member of the British Commonwealth. The British monarch is the head of state and is represented by a governor general. The prime minister and the cabinet hold the executive power. Members of the cabinet represent the majority political party in the National Assembly. The judiciary is independent.

HUMAN RIGHTS

There have been a number of reports of human rights violations by the police. For instance, in February 1998, a police officer, who had previously been reported as engaging in violent conduct, fired on and killed a man. In September 1999, a man arrested for fighting in public died in police custody. Although the police claimed that he had passed out and drowned in his own vomit, an autopsy found that he had a ruptured liver, a fractured skull, and water in his lungs. Investigations into these and other charges of police abuse have been conducted by the Police Complaints Board

Prison conditions are harsh at Hattieville Department of Corrections, the only state prison in the country. The prison hosts over 1,000 inmates, although it was designed to

hold only 500. Prisoners do not have showers, toilets, or adequate medical facilities. Women are housed in the same facility, although separated from men. However, male guards and male prisoners are often allowed to roam in the women's area. There is no separate facility for mentally ill prisoners. In 1998, there were reports of physical brutality by prison guards. Additionally, gang and drug-related problems are becoming serious problems inside the prison. The government has tried to address the problem of juvenile delinquency by promoting the Youth Enhancement Agency, which houses several thousand youths who participate in rehabilitation and job-training programs.

In 1998, the police arrested thirty people during a robbery investigation. Those arrested were detained for more than the seventy-two hour limit before being given access to legal assistance. They were detained for the maximum time allowed, and then released. None of those arrested had charges pressed against them. One of the detainees accused the police of abuse and torture. In 1998, this was the only case of abusive arrest by the police. Detainees are usually notified within 48 hours regarding the reasons for their arrest and within 72 hours must have access to legal assistance. Bail is granted in most cases. Trials are usually fair, but lengthy. There have, however, been allegations that the judiciary is subject to political influence.

Belize respects the right of free speech and press. Some limits are established to protect defense, public safety, public order, public morality, and public health. In one case, the minister of broadcasting threatened to discontinue the program of one radio network, asserting that it was violating public morality. In November 1990, the government closed the BCB (Broadcasting Corporation of Belize) and its two radio stations. The government sold the frequencies to private networks. The Belize Broadcasting Authority regulates broadcasting within the country. Nevertheless, it rarely uses this authority.

There has been little racial tension in the country, despite the recent arrival of Central American and Asian immigrants. Belize cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations. Asylum is usually granted to those who file for it. In 1998, Belize rejected only thirty requests for asylum. Refugees are eligible to apply for residency after five years of living in the country.

Women are subject to discrimination in Belize, and usually have more difficulties obtaining agricultural and business financing than do men. Women also receive lower wages, though the law mandates equal wages. The number of women in politics is quite limited, for both traditional and socioeconomic reasons. Abuse of women is a chronic problem. There are several shelters for battered women. In addition, several hotlines and counseling services are available. The Belize Organization for Women and Development helps women understand their rights and provides counseling. There were reports of women being forced into prostitution. Women are recruited from border countries with promises of attractive job opportunities, and then are forced to become prostitutes once in Belize. No arrests have been made so far, despite lengthy investigations.

Education is available to everyone, but most students drop out after primary school as a result of the high cost of books and other school materials.

The law does not provide assistance for people with disabilities. However, the government's Disability Services Unit and

other private organizations provide services to the disabled. Children with disabilities have access to special governmental facilities. The right of free association for workers is generally respected. There are eleven independent unions in Belize; they represent 11 percent of the labor force. The government recognizes unions after they file with the registrar's office. The law also grants workers the right to strike.

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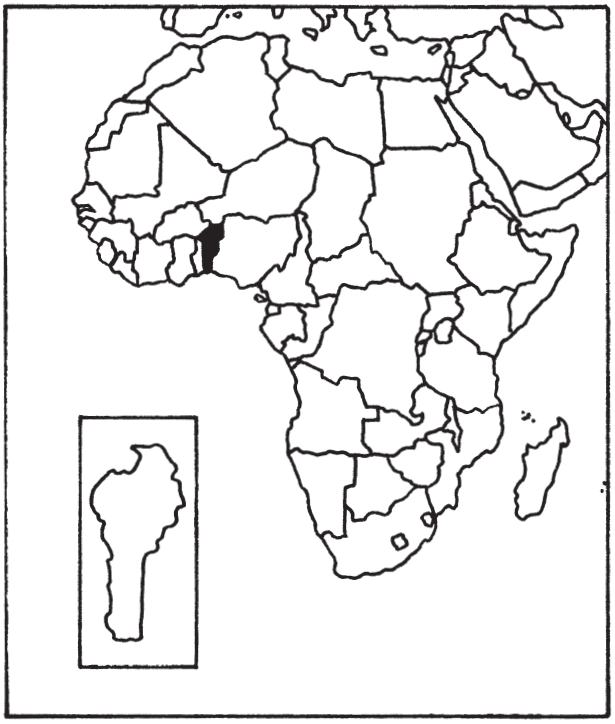
Benin



Benin, formerly Dahomey, is a small country in western Africa, between Nigeria and Togo, on the coast of the Atlantic Ocean. Its official capital is Porto-Novo, although Cotonou serves as the seat of government. It gained its independence from France in 1960. From 1972 to 1989, Benin was ruled by a Marxist-Leninist dictatorship, which was replaced by the present multiparty democracy. Benin has a largely agricultural economy, and although its gross national product has increased appreciably in the latter half of the decade, Benin's population growth has made this less obvious. Benin's record on human rights is generally good, although there were some instances of extrajudicial killings by police in 1998. Additionally, Benin's government has not been able to contain acts of vigilantism or mob violence, improve the conditions in its prisons, or provide its citizens with speedy trials.

HUMAN RIGHTS

There have been no confirmed reports of extrajudicial killings during the last few years, although according to Amnesty International, one man died at the main police precinct in 1998 after being beaten by a guard. Police have had difficulty in curbing cases of mob justice, particularly against thieves who have been caught in the act. Reportedly, one rural agitator incited the lynching of more than 100 suspected criminals in southwestern Benin in 1999. The authorities instructed the demagogue to turn suspected criminals over to the police after capture, but individual and sporadic lynchings continue.

There have been no reports of politically motivated disappearances or abductions. There have been credible reports that guards sometimes beat prisoners. The government is currently making payments to those who were victims of torture and beatings under the military regime that ruled Benin from 1972 to 1989. Prison conditions are brutal due to overcrowding and lack of proper sanitation or medical care. Prisoners are malnourished and disease is rampant. Prisoners are allowed to meet with their families and to consult lawyers.

There have been no documented cases of arbitrary detention and most citizens are given a fair public trial. There is no evidence of political prisoners. Police are required to obtain a warrant before entering a private

home and this requirement is usually observed. There have been no reports of interference with electronic or written communications. The rights to free speech and to a free press are also respected in practice. There is a large free press in the major cities that freely and frequently criticizes the government, although their readership is limited because most citizens outside of urban areas are illiterate and receive their news via radio.

The government also respects freedom of religion. Those who wish to form a religious group must register with the Ministry of the Interior and the registration requirements are the same for all religions. There have been no indications that any religious group has been refused registration. Religious groups are also tax exempt.

Although the authorities of Benin generally respect citizens' rights to travel within the country, travelers are often forced to pay bribes to local police for passage. Benin does not restrict the right to travel internationally and those who have been abroad may return without hindrance.

Citizens have the right to change their government and they have done so, freely and peacefully in 1991, in 1995, and in 1996. Women participate actively in politics although they are underrepresented in government positions.

There have been instances of domestic abuse. The authorities are reluctant to intervene in cases of domestic violence, considering such disputes to be family matters. There is appreciable societal discrimination against women in all spheres. Although considered equal by the law, custom still dictates the subordination of women in financial and social matters.

The government has attempted to increase the enrollment of children in primary school, which is now only at 66 percent. In some areas, girls are given no education whatsoever. Child abuse and trafficking in Beninese children remain problems.

Although Benin is extremely poor (1995 estimates are 33 percent living in poverty), Benin's record on human rights remains strong. It has traditionally cooperated with the United Nations High Commissioner for Refugees and provided a relatively safe haven for its citizens amid regional turmoil. As it continues to develop economically, it is hoped that Benin can maintain its respect for the human rights of its citizens.

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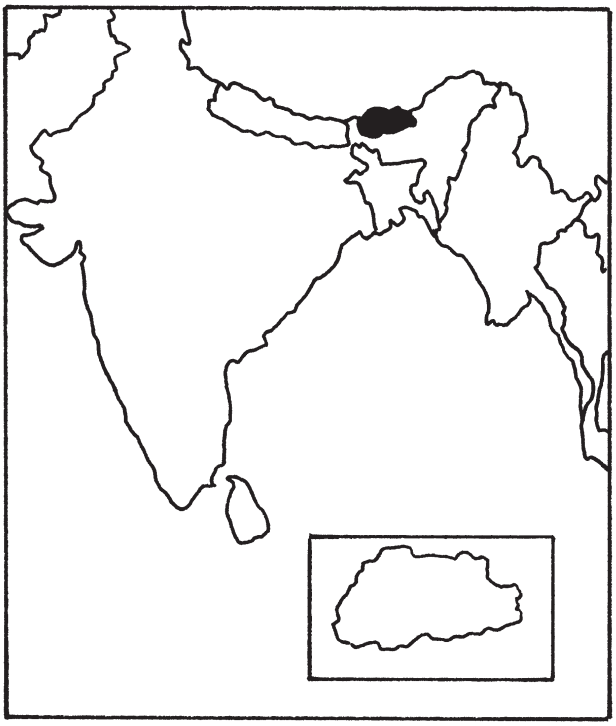
Bhutan



The Kingdom of Bhutan is a country in south Asia, bounded on the north and west by China, and on the south and east by India. Thimphu is the capital city. The government reports that the population is approximately 600,000, while other, non-official estimates place the number at 1.9 million. Ethnic and linguistic groups include the Bhote (59 percent), divided between the Ngalongs of western Bhutan and the Sharchops of eastern Bhutan; the Nepalese (35 percent); and indigenous or migrant tribes (15 percent). Dzongkha is the official language; English is the language of instruction in all schools.

BACKGROUND

Always an independent state, Bhutan was occupied by the British from 1910 to 1949, when India assumed control of its foreign affairs and an Indo-Bhutan Treaty of Friendship was signed. Bhutan became a member of the United Nations in 1971. The Wangchuk Dynasty has ruled the country since 1907, and King Jigme Singhye Wangchuk has been on the throne since 1972.

Two-thirds of the population is Buddhist, while the remainder is Hindu. During the late 1980s and early 1990s, Bhutan experienced a period of political protests and ethnic repression directed against the growing Nepalese population living in the south. The Buddhist majority feared its culture would eventually be supplanted, and the government responded by stepping up measures against illegal immigration and tightening citizenship requirements. Thousands of Nepalese were forcibly expelled from the country. During those years, government officials were responsible for serious human rights abuses, including torture, rape, and other physical violence against ethnic Nepalese. There is no indication that the perpetrators were ever prosecuted.

Bhutan has no constitution or bill of rights. The king is a hereditary monarch, and is both the chief of state and the head of government. He nominates the candidates for the Council of Ministers. The legislative branch is the unicameral National Assembly with 150 members, of whom 105 are elected by the people, ten are selected by the Buddhist clergy, and thirty-five are appointed by the king. All major ethnic groups are represented. The Assembly nominally has the power to ask the king to abdicate, to elect and remove ministers, and to overturn any decision made by the

king or by government officials. However, the king ultimately makes the most important political decisions, and approves or opposes legislation.

The judiciary is not independent of the king, who represents the Supreme Court of Appeal and appoints the judges of the High Court and district courts. Village headmen follow religious precepts to adjudicate questions of family law, such as marriage, divorce, and adoption.

Per capita gross national product is estimated to be $470. The economy is based primarily on subsistence agriculture and forestry, which account for about half of the gross domestic product. Cardamom, citrus fruit, spices, cement, and electricity are among the most important exports. Tourism is hindered by a poor infrastructure and lack of accessible roads. The industrial sector is underdeveloped. India has always played a major role in supporting trade and monetary links. In recent years, Bhutan has pursued economic and social reforms to protect the country's environment and cultural tradition by improving education, health, sanitation, and communications.

HUMAN RIGHTS

Human rights and freedoms are significantly restricted. There are no political parties. Although there has been a progressive increase in the power of the National Assembly to make decisions, the selection and election of candidates still do not meet democratic international standards. Individuals do not have the right to vote. Suffrage for electing members of the National Assembly is one vote per family in a village.

Although modernized somewhat in the 1960s, the basic legal code dates back to the seventeenth century and does not contain a criminal procedure code. Approximately seventy-five persons are serving sentences for political reasons. Bhutan has only recently begun reviewing the current legal system, establishing a body of written laws, and promoting legal education.

There have been allegations of excessive use of force and abuse of authority by government officials. Arbitrary arrests and detentions constitute an ongoing problem. Citizens are not legally protected against arbitrary interference with their privacy, family, home, and correspondence. Security forces can arbitrarily conduct searches for suspected dissidents or criminals. All citizens are required to wear traditional Buddhist dress in schools, government offices, Buddhist religious buildings, and when attending official functions or public ceremonies.

Freedom of speech and press are restricted. The government owns and controls all media. Foreign newspapers are available. Until recently, all private televisions were banned; in June 1999, the government launched the first Bhutanese television service. Citizens do not have freedom of peaceful assembly and association unless authorized by the government. Political parties, such as those organized by Nepalese exiles outside the country to seek repatriation and promote democracy, are regarded as terrorist and antinational.

Ethnic discrimination has been a severe problem. Bhutan claims that ethnic Nepalese are well represented in employment, in proportion with the total population. However, human rights groups active outside the country allege that the government underreports the percentage of ethnic Nepalese within the total population. Since 1989, discriminatory measures have been carried out as part of an effort to affirm a stronger national identity based on

Young children attending open-air school in 1993.

the customs of the Buddhist Ngalong ethnic group. Nepali as a second language was eliminated in school settings. Bhutan has canceled the contracts of thousands of Nepalese guest workers. The implementation of a new citizenship law resulted in the denaturalization of many Nepalese. In September 1990, this climate of repression prompted ethnic Nepalese to organize a series of public, often violent, protests and demonstrations. Tens of thousands left the country voluntarily or were forced to emigrate.

Despite tensions centered around the Nepalese presence and the heavy influence of the Buddhist religious establishment on the government, citizens enjoy a reasonable degree of religious freedom. Missionaries are, however, prohibited, and conversion is illegal.

Bhutan is not a signatory of the 1951 United Nations Convention Relating to the Status of Refugees. Approximately 91,000 ethnic Nepalese from Bhutan were still refugees in Nepal at the end of 1997. Additionally, the United Nations High Commissioner for Refugees (UNHCR) estimates that an additional 15,000 reside outside the camps in India and Nepal. There were reports that several ethnic Nepalese refugees attempting to return were captured by Bhutan security forces, tortured, and sent back across the border.

The government has not cooperated with Nepal, the UNHCR, and non-governmental

human rights organizations in negotiating the return of refugees to Bhutan. It has claimed that many have no right to return because they were never citizens of Bhutan to begin with. In 1997, the National Assembly adopted a resolution stipulating that legal resident family members of ethnic Nepalese refugees were prohibited from holding government jobs. Additionally, the government resettled Buddhist Bhutanese on the lands vacated by Nepalese refugees in the southern provinces. Schools that were closed in 1990 remain closed, preventing ethnic Nepalese from acquiring a primary education.

Gender discrimination is a problem as well. Although women have become an increasingly presence in the social and economic life of the country, they remain underrepresented in government and politics. The government regards human rights non-governmental organizations (NGOs) as illegal. Ethnic Nepalese exiles founded the Human Rights Organizations—Bhutan, the People's Forum for Human Rights in Bhutan, and the Association of Human Rights Activists, but they cannot operate within the country. Amnesty International has sent a few delegations to monitor human rights abuses.

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Bolivia

The Republic of Bolivia is located in tropical South America. Its landlocked territory is bounded by Argentina, Brazil, Chile, Paraguay, and Peru. Its population of approximately 7.8 million is composed of Quechuas (30 percent), Aymaras (25 percent), mestizos (30 percent), and Euro-Americans (15 percent). Roman Catholicism is the dominant religion. Other religions include Evangelical Methodism and the Bahai faith. Spanish is the official language, and other languages commonly used include Quechua and Aymara. La Paz, the capital city, at 11,800 feet above sea level, is at the highest elevation of all the world's capital cities.

Despite numerous natural resources—minerals, hydrocarbons, and petroleum—Bolivia is still one of the poorest and least-developed countries in South America. About two-thirds of the population, mostly subsistence farmers, live in poverty. The economy has traditionally been characterized by semifeudal systems and bouts of hyperinflation. Since the Paz Estenssoro administration of the late 1980s, however, the country has experienced an improvement in its economic conditions through a series of reforms that have helped reduce inflation, create conditions for sustained growth, and alleviate poverty. Among the most significant economic reforms are the capitalization of numerous public sector enterprises and the strengthening of the financial system. Further, the current government has encouraged foreign investment as a means of boosting economic growth and reducing poverty.

BACKGROUND

The cultural and historical development of Bolivia can be divided into three distinct periods: pre-Columbian, colonial, and republican. The Quechua-speaking Incas controlled the territory from 1450 until the Spanish conquest in 1525. During the Spanish colonial period, this territory was under the authority of the Viceroy of Lima. Spanish royal authority weakened during the Napoleonic wars, and independence from Spain was achieved on August 6, 1825, when the republic was established and named after Simon Bolivar. Independence, however, did not bring stability to the country. Coups, revolutions, and short-lived constitutions dominated the country's politics during the following decades. Moreover, the living conditions of the surviving

Amerindian population—forced to work under primitive conditions in the mines and on large estates—remained marginal. The years before the 1952 revolution were characterized by an increasing political awareness among the indigenous people, as well as by the emergence of contending ideologies and political parties, including the National Revolutionary Movement (MNR), which led the 1952 revolution.

The MNR introduced universal adult suffrage, carried out sweeping land reforms, promoted rural education, and nationalized the country's largest tin mines. Despite these accomplishments, however, it also committed serious human rights violations. Twelve years of MNR rule were followed by a series of coups, countercoups, and weak governments, including the government of General Luis Garcia Meza, which was notorious for human rights abuses, narcotics trafficking, and economic mismanagement. After years of social unrest, chronic strikes, and inflation, the Paz Estennssoro administration of 1985–1989 achieved economic and social stability. The neoliberal economic reforms begun by Jaime Paz Estenssoro were continued by both Jaime Paz Zamora and Gonzalo Sanchez de Lozada—who undertook a capitalization program. Under this program, investors acquired 50 percent ownership and management control of public enterprises, such as the state oil corporation, telecommunications system, and electric utilities. In 1997, General Hugo Banzer Suarez won the elections and Congress selected him as president of the republic. Suarez's government committed itself to shutting down illegal coca cultivation and narcotics trafficking.

The constitution, which dates back to 1967, was revised in 1994. It provides for balanced executive, legislative, and judicial powers. The traditionally strong executive consists of the president and the cabinet, the legislative branch is a bicameral congress, and the judiciary includes the Supreme Court and lower courts. Since 1994, a series of laws and revisions have been implemented to reform the judicial system, which has long been characterized by corruption and inefficiency. The National Police have primary responsibility for internal security, although military forces play a significant role in critical areas such as antinarcotics enforcement.

HUMAN RIGHTS

Legal and institutional deficiencies constitute the primary obstacle to the full protection of human rights in Bolivia. According to civilian authorities who maintain control over security forces, some members of the police and the military forces are guilty of human rights abuses. Some of the violations—which include use of excessive force, petty theft, extortion, and improper arrests—reportedly have taken place against protesting coca growers and peasants, such as in the Chapare coca-growing region, where, in 1998, a number of armed groups opposed the eradication of illegal coca. Further, despite the constitutional prohibition against torture, a number of significant incidences of torture have taken place.

Prisons are generally overcrowded, sometimes forcing inmates to sleep sitting up. Prison conditions are quite harsh, and in some cases life-threatening for prisoners without money. The ability to pay can determine cell size and living conditions, visiting privileges, day-pass eligibility, and place and length of confinement. The standard prison diet is very poor, and no adequate health care is offered within the prisons.

Arbitrary arrests are common, and denial of justice through prolonged detention represents a serious human rights problem. Persons are often incarcerated for long periods of time before trial because of a series of problems with the judicial system, including judicial corruption and intimidation, a shortage of public defenders, inadequate case-tracking mechanisms, and complex criminal justice procedures. Despite the 1994 constitutional reforms addressing the problem of delayed justice, most prisoners experience prolonged waiting periods either for trial or sentencing.

The constitution provides for the sanctity of the home and the privacy of citizens, as well as the fundamental right to express ideas and opinions freely. However, abuses take place, including illegal searches and theft of property from homes, as well as government attempts to intimidate the news media. Citizens have the right to free assembly and association, and the government generally respects this right. There are no restrictions on travel, and refugees are generally accepted for resettlement.

The constitution guarantees freedom of religion, although it also stipulates that Catholicism is the official religion. Non-Catholic religious organizations are required to register with the Ministry of Foreign Affairs and Worship. Minority religions that have encountered problems are the Unification Church and the International Society for Krishna Consciousness (ISKCON; the Hare Krishnas). On the pretext that ISKCON had registered as an educational organization rather than a religious organization, Bolivia sought to expel Hare Krishna in the mid-1980s. The Supreme Court, however, declared this move illegal and ISKCON reapplied as a religious organization. Although legally registered, in 1999, the Unification Church complained of ongoing harassment by the government, citing the government's 1998 revocation of civil registrations for three church-affiliated organizations.

The constitution prohibits discrimination based on race, sex, language, religion, political persuasion, origin, economic state, or social condition. Nevertheless, there is significant discrimination against women, indigenous people, and the small black minority. Violence against women as well as against children is very common, and the Penal Code does not define sexual harassment as a crime. In 1995, Bolivia promulgated the Law on Domestic and Family Violence, which makes rape a public crime and broadens the definition of family member abuse. Trafficking of women for purposes of prostitution is also very common. Employment agencies often attract indigenous women to cities with various promises of employment, and then force them to become prostitutes.

Although the law requires all children to complete at least five years of primary school, this requirement is poorly enforced, particularly in rural areas, and child labor is common. Despite 1997 regulations designed to implement the 1995 Law on Disabilities, there are no special services or infrastructures to accommodate people with disabilities.

Discrimination against indigenous people is a major problem. Indigenous people—who are at the bottom end of the socioeconomic scale—face severe disadvantages in health, life expectancy, education, income, literacy, and employment. They are generally exploited in the workplace, and some indiginous people are kept in a state of virtual slavery, especially in rural areas.

Workers are allowed to form and join organizations of their choosing, as well as to organize and bargain collectively. Workers in the private sector often exercise the right

to strike. Although forced and compulsory labor are prohibited, the practices of child apprenticeship and agricultural servitude by indigenous workers are very common. The minimum wage of workers is very low and does not provide a decent standard of living. The standards for the protection of workers' health and safety are poorly enforced, and working conditions are generally bad, especially in the mining sector.

There are a number of human rights monitoring groups in Bolivia. They usually operate without government restriction, and publish their findings on human rights cases. The Human Rights Commission of the Bolivian congress is particularly active and often publicly criticizes the government.

James R. Lewis

Migrant worker carrying a heavy load of cotton on an estate near Santa Cruz.

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Bosnia and Herzegovina

Bosnia and Herzegovina is a state in southeastern Europe, bordering the Adriatic Sea, Croatia, Serbia, and Montenegro. Sarajevo is the capital city. The country's population of approximately 3.5 million includes Serbs (31 percent), Muslims (44 percent) and Croats (17 percent). An emergent parliamentary democracy, the state of Bosnia and Herzegovina has two constituent entities: the Muslim/Croat Federation of Bosnia and Herzegovina and the Bosnian Serb-led Republika Srpska (RS), each representing roughly one-half of the territory. At present, the Federation and the RS are effectively two separate nations.

BACKGROUND

The former Yugoslavia, of which Bosnia and Herzegovina was a constituent republic, fell prey to divisive forces within its own borders set in motion following the death of Marshal Tito, who had led Yugoslavia from the end of World War II until his death in 1980. Tito had, with dictatorial authority, been able to unite the nation's diverse ethnicities into a modern state. Upon Tito's death, however, the country began to slowly unravel as a consequence of ethnic politics.

The three dominant groups within Bosnia are Serbs (40 percent), who are Eastern Orthodox; Croats (22 percent), who are Catholic; and Muslims (38 percent). All three are South Slav and all three speak Serbo-Croatian. The principal distinction between them is religion. Although these differences strike outsiders as unimportant, many ex-Yugoslavians perceive them as critically defining. With Tito gone, differences turned to suspicion, and suspicion to open warfare.

Until declaring independence, Bosnia and Herzegovina was a republic in the former Yugoslavia. In 1986, the rise of Slobodan Milosevic to power—a rise fueled by his Serbian nationalist agenda—led to ethnic tensions. Slovenia and Croatia, both dominated by non-Serbian majorities, broke away from Yugoslavia and declared independence in 1991. Bosnia and Herzegovina, the most ethnically diverse of the Yugoslavian republics, soon followed. Its independence was recogized by most European countries, as well as by the United States. In May 1992, Bosnia and Herzegovina was admitted to the United Nations.

However, not all Bosnians supported independence. In particular, the large Serbian minority wanted to keep strong ties to Yugoslavia, which now had a Serbian ma-

A Sarajevo cemetery filled with the dead from Bosnia's civil war.

jority. The Serbian minority in Bosnia declared independence, and, supported by neighboring Yugoslavia, responded with armed resistance to the Bosian government aimed at partitioning the republic along ethnic lines and uniting the Serbian portion of Bosnia and Herzegovina with "greater Serbia" under Milosevic's leadership. Yugoslavia supplied Bosnian Serbs with weaponry, and they proceeded to drive all non-Serbians out of eastern Bosnia and Herzegovina. Many atrocities were carried out in the name of "ethnic cleansing," a process that used a terrorist campaign against all non-Serbs as a tool to chase them out of as much of Bosnia and Herzegovina as possible. The eventual goal was to create an ethnically pure region consisting entirely of Serbians.

In March 1994, Muslims and Croats in Bosnia and Herzegovina signed an agreement establishing the Federation of Bosnia and Herzegovina. Together, with some help from NATO, and after much bloodshed, they were able to halt the Bosnian Serb advances. The conflict continued through most of 1995, ending with the Dayton Peace Agreement signed in Paris on December 14, 1995, by Bosnian president Alija Izetbegovic, Croatian president Franjo Tudjman, and Serbian president Slobodan Milosevic. This agreement left Bosnia and Herzegovina's exterior border intact and created a joint multiethnic, democratic government. In practice, Muslims, Croats, and Serbs each dominated their own section of Bosnia and Herzegovina. Since 1995, a NATO-led international peacekeeping force has been

in Bosnia and Herzegovina to implement and monitor the military aspects of the agreement. NATO has also facilitated civil reconstruction, the return of refugees and displaced persons, elections, and the freedom of movement of the civilian population.

The Dayton Accords created a constitution that calls for a central government composed of a two-chamber legislature, a three-person presidency (which includes a Bosian, a Serb, and a Croat), a council of ministers, a constitutional court, and a central bank. The national government is based on proportional representation and conducts foreign, economic, and fiscal policy. The government of each entity comprising Bosnia and Herzegovina makes autonomous administrative divisions and is responsible for law enforcement in accord with internationally-recognized standards. The judiciary is formally independent, although it is still subject to the influence of political parties and the executive branch.

The country remains heavily dependent on international assistance. Bosnia and Herzegovina has always been poor, and interethnic warfare has further aggravated the country's economy and multiplied human misery. However, in the past few years, there have been some signs of revival, as reflected in increased exports.

HUMAN RIGHTS

The human rights' situation is still quite poor. Many perpetrators of genocide and brutality during the war remain unpunished. More than 20,000 persons are still missing and presumed dead. The International Commission on Missing Persons (ICMP) supports the exhumation process and pushes Bosnian authorities to supply information on missing persons. There continue to be killings due to bombings and booby traps directed at ethnic minorities trying to resettle in many areas.

Police regularly commit human rights abuses in the form of torture or physical abuse of detainees and the excessive use of force against civilians. There are cases of arbitrary arrest and detention in both the Federation and the Republika Srpska (the area of Bosnia and Herzegovina dominated by the Serbians). Authorities in both entities have infringed on citizens' rights to privacy. The judicial institutions in both entities are influenced by the dominant political parties. Even when independent decisions are made, authorities often refuse to carry them out. Prison conditions are poor.

The authorities and leading political parties in their respective areas control the media, limiting freedom of speech and the press. Foreign journalists have occasionally been victims of harassment by local police or security officials for their alleged association with opposition parties or ethnic minority groups. However, opposition and independent broadcasts are gradually expanding. International administrators oversee the two television networks, Federation State Television in the Federation and the Serb Radio Television in the RS.

Academic freedom is also restricted with all institutions suffering from lack of resources and staff. Indirect political pressure limits freedom of assembly and association. It is generally believed that membership in a leading political party ensures housing and high-level jobs in the state-owned sector of the economy.

Although the constitution as established by the Dayton Accords prohibits discrimination based on sex, race, language, religion, and national or social origin, discrimination is a very long way from being eliminated. Women remain underrepresented in government and occupy few positions of economic power. Moreover, violence against women, including domestic violence and rape, is a problem. Social pressure and shame often prevent victims of such abuses from complaining to the authorities. Trafficking of women from the former Soviet Union for purposes of prostitution is a serious problem.

Bosnian Serb and Croatian political leaders often encourage displaced persons of their respective ethnic group to move or to stay in areas where they would be in the majority. Incidents of religious-ethnic discrimination are common, especially in areas dominated by one ethnic group. These include desecration of graves, damage to houses of worship, bombing of residential areas, dismissal from work, threats, assaults, and killings. Moreover, children of various ethnic minorities suffer from discrimination in schools, where the education is centered on the values, history, and religious tradition of the local majority. Children suffer the social stresses associated with the postwar era. However, there has been a major improvement in the human rights situation of children since the war.

Freedom of movement within the country has greatly improved since the end of the conflict. Additionally, new Bosnia and Herzegovina passports have been issued to enable international travel. Statistics on refugee return are difficult to obtain. However, it was estimated at the end of 1998 that more than 1.4 million Bosnian citizens were still internally displaced or were refugees abroad. Several factors prevent a large number of returnees, including the continued influence of ethnic separatists, the level of control over allocation of communally owned property, and lack of employment opportunities for returnees.

Bosnia and Herzegovina grants asylum and refugee status in accordance with in-

ternational standards, and generally cooperates with the United Nations High Commissioner for Refugees (UNHCR). However, the war in Kosovo resulted in approximately 10,000 Kosovo refugees staying in the country and Federation authorities often obstructed the UNHCR's efforts to assist them.

International and local human rights organizations operate and travel without restriction throughout the country. International community representatives have access to detention facilities and prisoners in both the Federation and in the Republika Srpska. The Dayton Accords created the Human Rights Chamber and the Office of Human Rights Ombudsperson, whose caseload has greatly expanded in recent years. There has been some harassment and intimidation of members of human rights groups. Additionally, authorities in all regions have rarely been responsive to recommendations made by human rights monitors.

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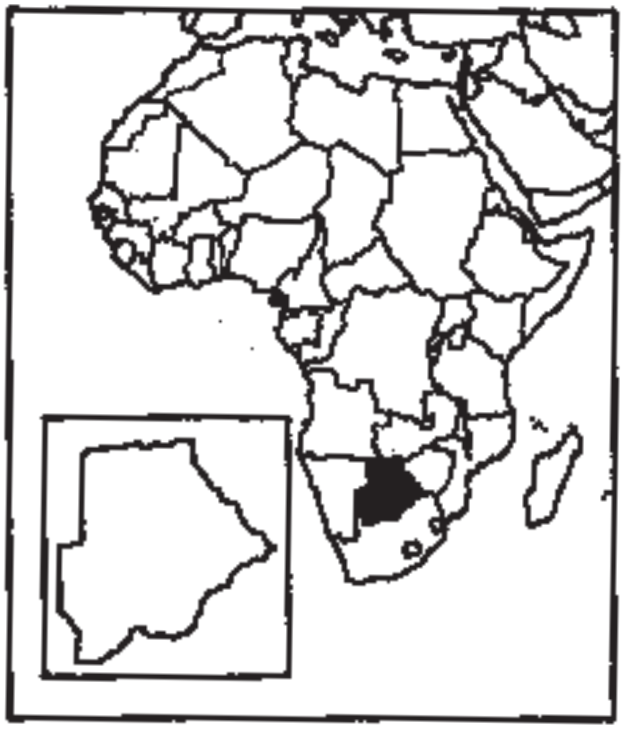
Botswana



The Republic of Botswana is situated in central southern Africa; it is bounded on the south and southeast by South Africa, on the west and north by Namibia, and on the northeast by Zimbabwe. It has a population of approximately 1.5 million. The term "Batswana" denotes all citizens and at the same time refers to the country's major ethnic group (95 percent), descendants of the Tswana in South Africa who immigrated to the area during the Zulu wars of the early 1880s. A small community of descendants of European immigrants (1 percent) and other minorities (4 percent) reside in the country. About 50 percent of the population is Christian; the other half practice indigenous religions. English is the official language. Gaborone is the capital city. A British protectorate since 1886, Botswana achieved full independence in 1966 and is a member of both the United Nations and the Organization of African Unity.

BACKGROUND

Botswana is a multiparty constitutional democracy. Its citizens change the government through periodic elections based on universal adult suffrage. The president is the chief of state and the head of the government. He is elected by the National Assembly every five years. The president appoints members of the cabinet. The popularly elected National Assembly holds legislative power. The House of Chiefs, representing the eight principal subgroups of the Batswana tribe, holds no legislative power but it may offer its views to both the president and the National Assembly on Legistation. The Botswana Democratic Party holds the majority of seats in the Parliament. The judiciary is independent. Chiefs and other traditional leaders handle minor offenses in customary courts throughout the country. Decisions may be appealed through the civil court system.

Botswana's economy is primarily subsistence farming and cattle raising. This sector is, however, plagued by poor soil and erratic rainfalls, and accounts for only 4 percent of the GDP. The unemployment rate is estimated at 40 percent. Tourism and diamond mining constitute significant sectors of the economy. Because of its deep ties to the Southern African Custom Union (SACU), the national currency occasionally suffers from fluctuations in value. With

the admission of South Africa to the World Trade Organization, however, many of those limitations have declined and Western products have gained more circulation.

HUMAN RIGHTS

Human rights problem areas include the occasional use of intimidation techniques by the police to obtain confessions from detainees. Corporal punishment is still inflicted on villagers found guilty of infractions by customary courts. Prisons are overcrowded. The judiciary is inefficient because of a serious backlog of cases.

Citizens generally enjoy freedom of expression; the independent press is often critical of the government. However, the government has a monopoly on the broadcast media and complaints have been made about limited access to the radio and censorship of press releases by opposition politicians.

All religious groups are required to register by submitting their constitutions to the Ministry of Home Affairs. Unregistered religious organizations can be fined and members jailed. The Unification Church is the only religious group to ever be denied registration on grounds of public order provisions in the constitution. Although it has petitioned this decision, the church has not challenged the ministry in the courts.

Discrimination is common against women, mostly in rural areas. Traditional practices restrict civil and economic opportunities for women. Customary law allows men to "chastise" their wives. In some

Impoverished child taking a bath in an open tub.

cases, girls do not have access to education because of traditional prejudices. They are also greatly underrepresented in politics. Violence, especially in the form of domestic abuse and rape, is widespread. The government has issued new legislation to address the problem by reviewing non-existent sentencing requirements and increasing penalties for all forms of sexual assaults.

Child abuse is a serious issue. Local human rights groups have reported an increasing number of cases of incest, whose victims are mostly young girls. Education is not compulsory, but the government provides free primary education. Although illegal, child labor is practiced in some remote areas of the country.

In general, Botswana's indigenous and non-indigenous minorities, such as the white and Asian communities, are not subject to discrimination. The exception is the nomadic Basarwa (Bushmen), who lived in the Central Kalahari Game Reserve and who were recently forced to settle outside the reserve. Conditions in the new settlements are precarious. The Basarwa are not represented by any local or national government, and they live in complete isolation. As a result, their rights are not protected.

Botswana generally respects workers' rights, although safety legislation and minimum wage regulations are not always enforced. Some limitations in forming associations apply to government employees. The right to strike is severely restricted by the law. The government does not restrict the activities of domestic or international human rights groups.

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Brazil

Located on the eastern coast of South America, Brazil is a federal republic. The largest country in South America, Brazil is divided into twenty-six states and one federal district. Its capital is Brasilia. It received its independence from Portugal on September 7, 1822. Its population is estimated at 171 million as of July 1998.

BACKGROUND

A president heads the executive branch as chief of state and head of government. The legislative branch consists of the bicameral *Congresso Nacional* (National Congress), divided into the *Senado Federal* (Federal Senate) and the *Camara dos Deputados* (Chamber of Deputies). The judicial branch consists of the Supreme Federal Tribunal. The president chooses its eleven judges, who are then confirmed by the Senate for a life appointment. Major political parties and their leaders include the Brazilian Democratic Movement Party, the Liberal Front Party, and the Worker's Party.

Brazil's per capita GDP is estimated at $6,150 as of 1999. Poverty is a major problem, with 40.9 percent of Brazil's 171 million inhabitants living below the poverty line and the richest 10 percent controlling more than half the nation's wealth. High levels of poverty, combined with an unemployment rate of 7.5 percent, contribute to a widespread system of forced labor. In Brazil, a country whose economy is one of ten largest in the world, it is estimated that tens of thousands forced laborers were used in charcoal camps, lumber mills, on sugar plantations, and in the gold mines. By 1998, the number had dropped to around 600.

HUMAN RIGHTS

Numerous human rights violations are associated with the Brazilian plantation system. The owners (*empreiteros*) of these plantations, ranches and camps hire recruiters (*gatos*) to first recruit and then to oversee workers. In the charcoal camps, the gatos are ordinarily paid with a percentage of the total profit and given minimum quotas for charcoal production. The empreiteros also expect the gatos to pay the workers out of their own share of the profits. This creates a system in which the gatos have a strong financial motivation to cheat or enslave workers.

Young children scavenging for food in a Rio de Janeiro garbage dump.

Gatos arrive at poor villages announcing well-paying jobs working at rural plantations, ranches, and camps. The recruiters tell the men that they will earn steady wages, that their living expenses will be paid, and that the ranch owner will pay for regular trips home to see their families. Before they leave their villages, gatos give the men's families money, and on the trip they are told they can eat whatever they want. New workers travel in trucks to the ranches or camps, which are often in remote areas. Upon arrival, the gatos take the workers' identification and labor cards. The gatos then tell the men that they are in debt because of the cost of the trip, the food they ate, and the money that was given to their families.

In the charcoal camps, the forced laborers work from dawn to dusk clearing the rain forest, in addition to stacking eucalyptus logs into ovens to produce charcoal. Working conditions are often unsafe, with intense heat and smoke burning workers' noses, eyes, and throats. Some workers must climb inside the ovens to empty charcoal. These workers perform this job almost naked because of the heat, exposing their skin to burns. Heatstroke and dehydration are common afflictions, while many workers suffer from infected burns.

The only lodging many of these laborers are provided is a tent consisting of four poles covered by a black plastic sheet. Many camps have no electricity, latrines, or stores in which to buy provisions, so that workers are dependent on the gatos for food and medical supplies. The prices of these are inflated and added to the workers' debt.

Because many ranches are so isolated, most workers do not attempt to escape.

Gatos also occasionally pay workers, although usually late and below the agreed rate, in an effort to woo other workers into believing that they, too, will be paid someday. These two factors help keep laborers in the camps.

Although some debts last over generations, most men remain in the camps for three years or less. After the trees are cut down, the workers' labor is no longer needed. Workers also become ill and exhausted after a few months' work, particularly in the charcoal ovens, so that it is more cost-effective for the gatos to discharge them, rather than to keep workers who can no longer work at full strength. When the men are dismissed from the camps, they are left in a remote area without money or the identification and labor cards necessary for them to get jobs elsewhere.

In 1995, the Brazilian government enacted significant reforms within the charcoal camps surrounding the state of Mato Grosso do Sul. Women and children were expelled from over 200 *batterias* (areas surrounding the camps), and were no longer allowed to work in the camps. In addition, the federal government of Brazil introduced a system of education grants that pays fifty reals a month to children of charcoal laborers, as long as the child stays in school. A model camp was also set up with electricity, plumbing, a school, a dining hall, and playing fields and toys for the children. Charcoal laborers, however, continue to work in unsafe conditions for below subsistence wages. Problems with forced labor also continue in other parts of the country.

Brazil also has problems with human rights violations by its state police forces. These police forces commit many extrajudicial killings, torture suspects under interrogation and conduct illegal searches. Off-duty police have been implicated in killings for hire, kidnapping for ransom, and other violations. The number of citizens killed in conflicts with the police in Sao Paulo state rose 17 percent from 1997 to 1998. Police there claimed that 80 percent of the victims were resisting arrest, despite the fact that 60 percent had no prior police records. Off-duty police officers committed 31 percent of the homicides that occurred during this period. In 1997, the human rights division of the Belo Horizonte public prosecutor's office reported that in the previous seven years, it had received nearly 100 complaints of "disappearances" of people from Belo Horizonte in which police were allegedly involved.

Off-duty police are also implicated in "social cleansing," or the killings of persons considered undesirable, such as criminals, street children, and homosexuals. In 1997, 207 children were killed in the city of Salvador, an increase of 39 percent since 1996. Homicide has become the leading cause of death for fifteen- to seventeen-year-olds, with this rate more than tripling since 1980. Many of these killings are attributed to police death squads.

Prison conditions in Brazil are also an area in which human rights violations frequently occur. Severe overcrowding is common. The Ministry of Justice reported that in 1997, prisons nationwide held 101,482 prisoners, although the prison system was designed to hold 74,592. Because of this overcrowding, penal authorities are unable to separate minor offenders from violent criminals. Prison authorities in the Santa Cruz neighborhood of Rio de Janeiro also stated that temperatures in jail cells reached 115 degrees, and water shortages were common. According to the Catholic Church's prison ministry, guards beat the twenty-four prisoners housed in the "dungeon" section of Sao Paulo's Carandiru prison.

Brazilian women also face human rights abuses. Female murder victims in Brazil are thirty times more likely to be killed by a current or former lover or spouse than by any other person. Rapes reported to the police in the state of Rio de Janeiro increased 34 percent between 1994 and 1997; however, both state authorities and women's rights activists agree that many rapes are not reported. The Sao Paulo Center for Assistance to Female Victims of Sexual Violence stated that 400 women sought the center's help after receiving no police assistance. Many cities and towns do, however, have special police offices for dealing with domestic and sexual violence against women; these offices total over 200.

Brazil's approximately 330,000 indigenous people also experience violations of their rights in connection with their traditional lands. Though they are constitutionally guaranteed the right to their own lands, many indigenous rights groups claim that the government does not allow them sufficient participation in decisions affecting their lands. They also criticize the lack of resources offered to them to provide health care and other services, as well as to prevent illegal mining, logging, and ranching on Indian lands.

Media pressures have had a significant influence on Brazilian officials confronting human rights abuses. A BBC documentary about charcoal making in Brazil, and a front-page article in the *New York Times* on the use of slave labor in Mato Grasso played a key role in the government's decision to end child labor in the charcoal camps. Publicity for indigenous tribes such as the Yanomami has also played a major role in advancing in human rights for those tribes. So far, the international community has not reacted strongly enough to end human rights abuses in Brazil, though officials there are making slow progress in improving conditions there.

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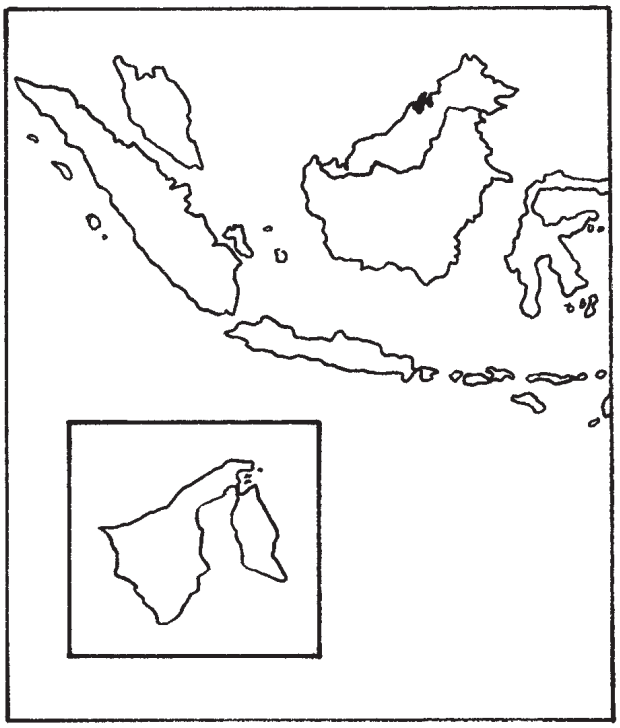
Brunei



Brunei is an island country in the South China Sea on the north coast of Borneo. A constitutional sultanate, it has been ruled by the same family for six hundred years. It has a single legislative body, although its members are not popularly elected—they are appointed by the sultan. A constitution drafted in 1959 gave the legislature some political power, but in 1962, the sultan invoked an article of the constitution that allowed him to assume emergency powers for two years. This article has been regularly renewed since that time. The state of emergency clause places few limits on the powers of the sultan. The sultan serves as prime minister, minister of defense, minister of finance, chancellor of the national university and superintendent of the national police force, and leader of the Islamic faith. Brunei has large oil and gas reserves, which, when coupled with its small population, give it a very high per capita gross national product.

HUMAN RIGHTS

Human rights in Brunei remain poorly protected. Citizens do not vote, nor do they have the right to change their government. Most citizens of Brunei avoid political activity. In Brunei, there is no freedom of press, expression, assembly, or association. Religious freedom is severely curtailed and widespread discrimination against women continues.

There are no laws restricting freedom of speech or freedom of the press. However, the sultanate has used its emergency authority to restrict these freedoms in practice. Editions of foreign newspapers or magazines whose content is critical of either the sultanate or the government are not allowed into the country. Christian literature is heavily censored. The national paper, the *Borneo Bulletin,* appears to practice self-censorship in regard to these subjects, although it has printed some anonymous letters to the editor that were critical of the government. In 1997, an English-language newspaper began publishing these letters, which, observers state, indicates a relaxation of restrictions on the press. The only local television station is government owned, although a fourteen-channel cable network makes programming from the Cable News Network and the British Broadcasting Corporation easily available.

It is difficult to accurately measure the extent to which freedom of assembly is restricted, or the resolve of the government to prevent it, because organized opposition to the government is rare and citizens almost never criticize it. In the past, however, the Brunei authorities have quickly arrested those who have attempted to promulgate dissident political views.

Political parties, which were banned in Brunei until 1967, are still limited to pursuing activities that do not "endanger people." Membership in political parties is open to all citizens who do not work for the government in any capacity—although 60 percent of all employed citizens are civil servants or security force personnel. The largest political party held a government-sanctioned assembly in 1995, in which only fifty people participated. Subsequently, the government attacked the leader of the group for an interview he gave to a regional news magazine. International philanthropic organizations such as Rotary and Kiwanis have a presence in Brunei, although they are not allowed to accept Muslims as members.

The constitution of Brunei asserts the essential Muslim character of the government, but allows freedom of religion for all its citizens as long as they practice in "peace and harmony" with the rest of society. Nevertheless, the government's stance on religion has been decidedly fearful of outsiders as it routinely restricts the practice of non-Muslim religions. Brunei citizens deemed to be religiously in error are subjected to study seminars led by Islamic religious leaders in which they are shown the error of their ways. The government's concern with radical forms of Islam is also noteworthy. Observers have stated that the authorities seem more concerned about Islamic "opportunists" than they are with purveyors of unwelcome political views. The authorities often investigate and arrest adherents of radical Muslim beliefs.

In 1991, the government introduced an initiative called Malayhu Islam Beraja (MIB), or "Malay Muslim monarchy." It is a reassertion of traditional Muslim values as a national ideology. Under this program, the government can and does prohibit proselytizing of other religions, denies entry to foreign clergy, and bans the importation of religious paraphernalia such as teaching materials or scriptures. In July 1998, authorities began a series of raids on clubs and restaurants frequented by foreign residents and workers in order to seize alcohol and foods that had not been prepared in accordance with *halal* requirements (Islamic requirements for the slaughter of animals; it also prohibits the consumption of pork). Brunei's schools are not allowed to teach the history of any religion other than Islam.

In accordance with the precepts of the Koran, women are denied equal status with men in matters of divorce, inheritance, and custody. Citizenship is transmitted through males exclusively. The children of female citizens and male foreigners are not considered citizens, even if they are born in Brunei. For this reason there is a substantial population of "stateless" children, estimated at more than 5,000. Within the government, women do not receive payment or benefits on parity with men. They tend to get less vacation, make less money, and their jobs are not as secure.

The number of cases of spousal abuse is not documented, although only ten women and their families stayed at a women's shelter run by the Social Affairs Service in 1999. Men who are guilty of rape or spousal abuse can expect terms of one to three years in jail, along with three to six strokes of the cane. Female domestic servants are the most at-risk group for abuse. They are often

beaten or refused the right to leave the house on their days off. Many domestics are foreign workers who are unable or unwilling to voice their complaints. However, when such complaints are brought, the government is usually quick to investigate.

There are no statistics regarding children's welfare; however, traditional commitment to the family and the high standard of living provide most children with a healthy environment. Education is free, compulsory, and universal for nine years. Poverty is almost non-existent, and there were only eighteen cases of child abuse reported in the first half of 1995.

In the area of human rights, Brunei is an exceptional case. Although there has been some criticism of the government in recent years, most citizens have not shown their dissatisfaction with the authorities. The majority of the Brunei authorities' human rights violations have occurred under the pretext of public safety, and most citizens seem to accept the governmental restrictions placed upon them despite their affluence.

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Bulgaria

The Republic of Bulgaria is located in southeastern Europe. It is bounded on the north by Romania; on the west by the former Yugoslavia; on the south by Greece; on the southeast by Turkey; and on the east by the Black Sea. It has a population of approximately 8 million. The official language is Bulgarian. Other languages include Turkish and Roma. The official religion is Orthodox Christianity. Muslims and Catholics constitute the largest religious minorities.

BACKGROUND

After gaining independence from the Ottoman Empire in 1887, Bulgaria became a constitutional monarchy. During World Wars I and II, Bulgaria was allied with Germany. In 1944, the USSR invaded Bulgaria. A referendum in 1946 ended the monarchy, and Bulgaria was declared a people's republic. In 1947, the Fatherland Front won 70 percent of votes, and Communist Party leader Georgi Dimitrov became prime minister. In 1947, the government declared the country a communist state. Nevertheless, Bulgaria, although a member of the Warsaw Pact, never hosted Russian military units inside its territory.

In 1989, Todor Zhivkov was deposed and the Communist Party was renamed the Bulgarian Socialist Party (BSP). A new constitution took effect on July 13, 1991. In November 1991, Bulgaria ran its first fully democratic elections, which were won by the Union of Democratic Forces (UDF) and the Movement for Rights and Freedoms (MRF). When the coalition collapsed in 1992, the civil service became the de facto government and administered the Republic of Bulgaria for the following two years. In 1994, the BSP won the elections and formed a government that held office until 1997. That year, the population demanded new elections due to increasing corruption in the BSP. In April 1997, the Union of Democratic Forces (UDF) won the election, winning 123 of 240 seats in Parliament. Its electoral coalition partner, the People's Union, won fourteen seats.

Bulgaria has been a parliamentary democracy since 1990. The president of the republic is the head of state and commander-in-chief of the armed forces. A president is elected every five years. The Parliament is composed of the National Assembly, which counts 240 members who are elected every four years. Political parties

must garner a minimum of 4 percent of the national vote to enter Parliament. The Parliament is responsible for enacting laws, approving the budget, scheduling presidential elections, selecting and dismissing the prime minister and other ministers, declaring war and deploying troops outside of Bulgaria, and ratifying international treaties and agreements. The majority party in Parliament nominates the prime minister and the council of ministers. The cabinet must resign after receiving a vote of no confidence in the Parliament. Bulgaria's judicial system is independent and is managed by the Supreme Judicial Council.

Since 1990, the bulk of Bulgarian trade has shifted from former COMECON countries to the European Union, although Russian oil exports to Bulgaria make Russia Bulgaria's largest single trading partner. Bulgaria joined the World Trade Organization (WTO) in 1996. Bulgaria's slow pace of privatization, a number of contradictory tax and investment policies, and a financial crisis have kept its foreign investment among the lowest in Central and East European countries. Total direct foreign investment from 1991 through 1998 was $2.02 billion.

HUMAN RIGHTS

Human rights observers have reported excessive use of force by the police. Several cases of deaths in custody in 1997 remain unsolved. Most of the unsolved cases have involved members of the Roma ("Gypsy") minority and political dissidents. The case of the murder of former Prime Minister Andrei Lukanov in 1996 is still unsolved. In October 1998, the government closed the case of the unresolved "umbrella" murder of dissident Georgi Markov, which took place in London in 1978, by the injection of a poison pellet from the tip of an umbrella. Markov's family believes that former communist dictator Todor Zhivkov ordered the killing. There has also been no progress in the trial concerning the notorious death camps set up by the communists after they took power in 1944.

The constitution expressly prohibits torture and cruel, inhuman, or degrading treatment. Despite this prohibition, police regularly beat criminal suspects and members of minorities. In particular, security forces physically abuse Romani street children. There have also been allegations that police beat nonviolent protesters. On July 10, 1998, approximately eighty policemen raided the village of Mechka, beat more than thirty Roma with truncheons, broke down doors, and smashed windows and furniture in Romani houses. The police beat men, women, and children indiscriminately, while insulting the villagers with ethnic slurs. Those beaten reported that the police showed no warrants and gave no explanation for their actions.

According to reports, criminal suspects in police custody run a significant risk of being mistreated. Human rights observers fear that conditions in detention facilities may be exceptionally poor; they have been unable to obtain access to them to conduct inspections. Conditions in some prisons are harsh and are characterized by severe overcrowding, inadequate lavatory facilities, and insufficient heating and ventilation. Prison guards treat inmates brutally. In some cases, prisoners who complained were placed in solitary confinement. The Bulgarian Helsinki Committee (BHC) reports that tuberculosis is a growing problem in prisons, especially in those that do not have their own in-house enterprises or agricultural production, and hence lack the additional resources to purchase more food. The

Women's dormitory in a mental hospital, 1991.

process by which prisoners may complain about substandard conditions or about mistreatment does not function effectively.

The constitution provides for protection against arbitrary arrest and detention. Nevertheless, police often arbitrarily detain and arrest street children, particularly Roma. Pretrial detention is supposed to last no more than two months, but extensions up to six months can be granted by the authorities. However, some citizens have been detained for up to two years. There are legal provisions for bail, but it is not often granted or requested. The constitution stipulates fair trials for all citizens and the judiciary is independent. However, the judiciary has many problems resulting from corruption, low salaries, and understaffing. The judiciary is slow and inefficient in pursuing abuses against minorities.

Despite certain legal uncertainties, the broadcast media operates reasonably freely. Nevertheless, there have been accusations of political censorship, especially after a February 1998 episode of the satirical television program "Hushove" (Bulgarian for exiles or outcasts) was canceled following a critical and unflattering portrayal of the government. A variety of newspapers are published freely by political parties and other organizations, and represent the full spectrum of political opinion. Many reflect the views of their ownership. According to the non-governmental organization Human Rights Watch, at least eleven violent attacks have been carried out against media repre-

sentatives in recent years, including physical assaults and bombings of newspaper offices. Attempts to intimidate journalists investigating corruption were thought to be the motivation for the attacks.

Discrimination against and harassment of nontraditional religious minorities (including the great majority of Protestant religious groups) is a major problem. Intolerance of non-Bulgarian Orthodox Christian religions, often couched in terms of Bulgarian patriotism, fuels public pressure on public officials to contain "foreign" sects. Groups as diverse as the Jehovah's Witnesses, the Church of God, and the Emmanuel Bible Center have been adversely affected by such attitudes. Numerous articles in a broad range of newspapers and television documentaries have presented lurid and inaccurate pictures of such groups, attributing the breakup of families and drug abuse by youths to the practices of these groups. There have also been allegations of evangelicals drugging young children.

Thus, despite a constitutional provision mandating freedom of religion, the government in fact restricts this right for some non-Orthodox religious groups. The requirement that groups whose activities have a religious element register with the Council of Ministers remained an obstacle to the activity of some religious groups, such as the Church of the Nazarene and the Unification Church, prior to or in the absence of this registration. A number of municipal governments have also set up local registration requirements for religions, and have used non-registration as a pretext for harassing or otherwise interfering with the activities of certain minority religions. The lack of registration was an obstacle to the activities of Jehovah's Witnesses prior to the group's registration in November 1998.

Human Rights Watch reports that police have arrested children and adult members of Jehovah's Witnesses for distributing religious tracts, and have detained other members of Jehovah's Witnesses for proselytizing. The Church of Jesus Christ of Latter-Day Saints (Mormons) also reported several incidents of harassment by police and by local authorities, with police interrupting services to demand passports and registration documents for the Church and its members.

At the Department of Theology of Sofia University, all students are required to present a certificate of baptism from the Orthodox Church, and married couples must present a marriage certificate from the Church in order to enroll in the department's classes. In 1996, two non-Orthodox applicants were denied admission to the department when they were unable to present such certificates. The applicants then appealed to the local court, which decided in favor of both applicants. Following the court decision, however, the university changed its requirements, effectively excluding both students on other grounds.

There has also been a disturbing tendency for some municipalities to enact arbitrary regulations that have no purpose other than to harass minority religious groups. For instance, a regulation passed by the Sofia municipality in February 1999, forbids references to miracles and healing during religious services, a provision that can easily be used as a pretext to ban or interrupt services by charismatic and evangelical groups. This regulation cites a 1949 law, which is technically still in effect, that forbids foreigners from proselytizing and administering religious services in the country.

Citizens enjoy freedom of movement within and outside the country. Moreover,

the government generally grants asylum or refugee status in accordance with the standards of the United Nations. There have, however, been cases in which bona fide refugees were turned away at the border and forced to return to countries in which they feared persecution.

Although the constitution forbids discrimination on the basis of sex, race, and religion, discrimination still exists. Violence against women, especially domestic violence, is a serious problem. There are no public or private shelters for battered women, and the judiciary tends to ignore such cases. Women suffer discrimination in employment and income compared with men.

Despite a law against trafficking in women that was enacted in 1997, and despite the creation of two new antitrafficking police units, trafficking in women and girls continues to be a serious problem. La Strada, a Netherlands-based human rights organization, reports that as many as 10,000 Bulgarian women are victims of forced prostitution, one of the largest such groups in Europe. This is a highly profitable trade, and in some areas local Bulgarian officials and police are involved. Judges and prosecutors are hindered in their efforts to address the problem because of fear of reprisals from organized crime groups. The large number of victims is at least partially attributable to the high unemployment rate for young women in Bulgaria.

Bulgaria is committed to children's rights, but because of a lack of funding, children's programs are not implemented efficiently. The government is also committed to helping people with disabilities. However, most of the buildings and public transportation vehicles do not meet with the needs of the disabled. In many areas of the country, a lack of funds is a great obstacle to providing services to the disabled.

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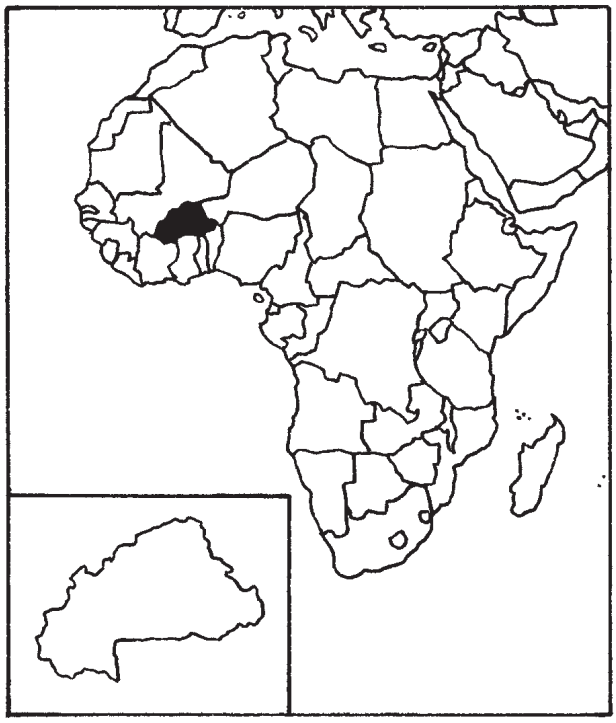
Burkina Faso



Burkina Faso is located in western Africa, north of Ghana. Formerly known as Upper Volta, Burkina Faso gained its independence from France in 1960. Its current president is Blaise Compaore, and the government is dominated by the Congress for Democracy and Progress Party, or CDP. Most of the population engages in subsistence agriculture. Frequent droughts, combined with a weak infrastructure and a 77 percent illiteracy rate, often compound Burkina Faso's economic difficulties. Since 1991, the government has been implementing a plan to open its economy to outside market forces and regain control of its large national debt. In the 1990s, Burkina Faso has noticeably improved life expectancy, literacy, and school attendance, although it has not been able to substantially increase its per capita gross national product.

HUMAN RIGHTS

There are serious problems with Burkina Faso's human rights record. The dominance of the president and the ruling party make it difficult for citizens to exercise their right to change their government. Moreover, its security forces—including the armed forces, the Presidental Guard, the gendarmerie, and the police—have committed a number of human rights abuses.

One of the most politically divisive incidents was the murder of the internationally respected journalist and editor, Norbert Zongo, in December 1998. Public outrage at his death resulted in widespread social unrest, including demonstrations (some violent) and strikes throughout the country in early part of 1999. Opposition political parties, working with students, journalists, and human rights organizations, formed a coalition in response to Zongo's assassination, calling for the capture of his killers and an end to the impunity of law enforcement officials.

The government commission assigned to investigate Zongo's death produced a final report in May 1999. The report did not name any suspects, although it did name six members of the Presidential Guard, who gave suspicious testimony concerning their whereabouts on the day of the murder. The report also noted that documents, which may have clarified the contradictory testimony of the suspected guards, were prob-

ably destroyed immediately following the murder. Due to public outcry over the findings of the commission, President Compaore announced a plan to continue the investigation. He pardoned every citizen who had been arrested during demonstrations on Zongo's behalf, and said he would call for new parliamentary elections if necessary. Despite all these actions, Zongo's killers have still not been found.

There were reports of extrajudicial killings by security forces in 1999. One case involved a national power company employee who was beaten to death after trying to resolve a traffic dispute between his friend and a gendarmerie commandant. In response to his death, power company employees shut off power and water throughout much of the country. On the same day, the government announced that the gendarme commandant had been arrested. In June 1999, workers again shut off power and water to demand the transfer of the gendarmes implicated in the killing to the main civilian prison—where most prisoners are held—from the military prison where they had been held previously. The government acquiesced and moved the gendarmes.

There have been no reports of politically motivated disappearances, although prison guards have abused inmates. There were no investigations into these incidents, which further demonstrated to human rights organizations and the public that the government's failure to prosecute abusers within the security forces has created a climate of impunity for members of law enforcement groups.

Prison conditions are harsh and in some cases life-threatening. Prisons are extremely overcrowded, and the diet is so poor that inmates must rely on supplemental food delivered by friends and relatives. Human rights organizations have complained that prison visits are only granted at the discretion of prison authorities, and there have been problems in obtaining this permission.

Members of government security forces continue to arrest citizens arbitrarily and without due process. The average time of detention without charge is one week; the law allows for an unlimited number of six-month detention periods. Police have arrested and detained protesters and journalists.

The Zongo killing focused national attention on the problems of the judicial system, which include excessive executive influence over judges, obsolete legal codes, and a lack of physical and human resources. The right to a fair trial is also hampered by Burkina Faso's low literacy rate.

The government generally respects its citizens' right to privacy. The rights to freedom of speech and freedom of the press, however, are still circumscribed by the government. Although the press has become more independent in recent years, it still experiences some harassment. The government arrested two journalists and six leaders of an opposition party, including its president, in response to a communiqué that they had addressed to the armed forces, asking the military to guarantee the safety of the demonstrators. The eight were charged with "attempts against the army's morale" and sentenced up to five years in prison. Their indictments were dropped when a judge ruled that they had not received a fair trial.

However, the government has permitted many marches and protests, even though some operated without the officially required notice. Taken as a whole, the government's handling of demonstrations generally has been moderate.

The government respects the right to freedom of religion in practice.

There are no specific laws to protect women from pervasive legal or social dis-

crimination. Women are generally subordinate to men in the workplace and in the family. Although they represent 45 percent of the workforce, they are rarely promoted to management positions and receive lower pay for the same work. Violence against women occurs, but it is rarely discussed, although the government has been trying to change the national attitude toward women's issues through education.

The government has demonstrated its commitment to improving the lives of children. It has improved the access of many children to primary school and raised the literacy rate to 22 percent. Female genital mutilation, which is condemned by health experts as both physically and mentally damaging, is still widely practiced. International health organizations estimate that the percentage of females who have undergone this barbaric ritual procedure may be as high as 70 percent. The government has formed a committee to combat this practice through education.

The government has accepted the activities of some human rights monitors. It has, however, restricted some local human rights groups, claiming that their activities are politically motivated. In some cases, the government has failed to respond to requests for information by organizations such as Amnesty International.

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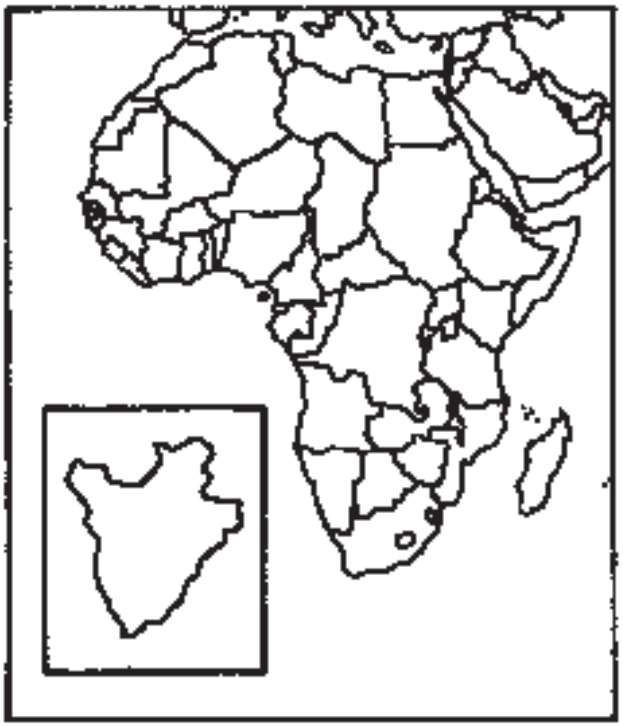
Burundi



Burundi is a small, poor country in Africa, sharing borders with Tanzania, the Republic of the Congo, and Rwanda. It gained its independence from Belgium in 1962. Its capital is Bujumbura and it is considered to be a republic, although it is ruled by President Pierre Buyoya, who overthrew former president Sylvestre Ntibantunganya in a Tutsi-engineered coup on July 25, 1996. Burundi is presently in the throes of ethnic violence and civil war. Ethnic uprisings, coups, and factional violence have marked the independent history of Burundi. The two main ethnic groups in Burundi and the surrounding region are the Hutus and the Tutsis. In Burundi, Hutus make up 85 percent of the population and the Tutsis 15 percent. One of the better documented waves of violence between these two groups, during which hundreds of thousands died, started in Burundi in October 1993 and subsequently spilled into Rwanda, the Republic of the Congo, and Tanzania.

Although they are outnumbered, it is Tutsis who dominate Burundi. The Burundian government and security forces are Tutsi-controlled and consist of the army and police under the Ministry of Defense, the judicial police under the Ministry of Justice, and the intelligence service, under the presidency. The rebels consist mainly of Hutus. In 1999, negotiations between parties to the civil war in Burundi spurred hopes that the conflict would end. However, by November, the peace talks between the rebels and the Burundian army were foundering, and by the year's close, military action in and around Bujumbura and in the southeast of the country became more intense than at any time previously during the conflict.

HUMAN RIGHTS

By any measure, Burundi has been and continues to be a human rights catastrophe. Although the civil war is nominally a struggle between the government and armed opposition groups, the unarmed civilian population seems to bear the brunt of the violence. Both the rebels and the authorities massacred civilians in 1999, increasing the death toll among Burundian civilians to over 100,000. In an effort to deprive rebels of local support, the Burundian government has ordered more than 300,000 civilians into concentration camps, where they have suffered from attacks,

starvation, dehydration, and lack of adequate medical attention.

Hundreds of unarmed civilians were killed by either members of the armed forces or rebels, mainly in the areas around Bujumbura and in the southeast, where the fighting is the heaviest. Most killings by government soldiers of Hutu civilians seemed to take place as a reprisal for cooperating with rebel forces or as a response to the killings of Tutsi civilians by Hutu-dominated opposition groups. Civilians are killed on the pretext that they are armed combatants or that they have protected and aided armed rebels. Almost none of these killings have been investigated. For example, on August 11, 1999, government soldiers executed approximately fifty civilians in Kanyosha province. The next day, troops used grenades and machine guns to kill an unknown number of civilians in an outlying area of Bujumbura, according to observers.

Armed opposition groups are responsible for killing hundreds of civilians as well. These killings are similar to those perpetrated by the Burundian government in that they are retaliatory in nature, usually against alleged government collaborators or informants. In one instance, in January 1999, rebels killed 178 civilians in the Makamba province, according to the state-run media. It is unclear whether these civilians were killed by rebels, or whether they were caught in crossfire between the rebels and the army. Additionally, on October 12, unidentified attackers killed two UN foreign staff workers and seven others during a UN humanitarian assessment mission to Rutana province. Although the civil war is ethnically fueled, the government has killed Tutsis and the rebels have killed Hutus. Opposition groups frequently attack regroupment camps where civilians are often held and controlled, deliberately and arbitrarily killing those civilians. Because such acts on both sides necessitate a response, this conflict seems to follow a pattern of fearful acceleration, beyond the control of even the combatants themselves.

Human rights groups such as Amnesty International have reported that abductions have occurred throughout the duration of the conflict, although there are no credible figures for the number of disappearances. Abductions may lead to detainment and torture by security agencies. In one such case, Amnesty International reported that members of security forces were alleged to have withheld food from detainees and beaten them. At the end of 1999, it appeared that the Burundi government favored transferring some of the responsibility of policing of the capital and surrounding countryside to groups of armed civilians. Human rights groups were horrified by this proposal, arguing that these militias would become the equivalent of roaming death squads.

Although the interim constitution of Burundi provides for its citizens' protection against interference with privacy, family, home and correspondence, an estimated 330,000 mainly Hutu civilians have been forcibly moved to "regroupment areas" where they are more easily controlled by security forces. The government's stated reasoning for these massive relocations was to protect these civilians from rebel attacks.

Burundians are routinely denied the right to a fair trial. Theoretically, all Burundians have a right to counsel, a right to defend themselves, and are considered innocent until proven guilty. In practice, this is rarely the case. Few defendants have legal representation, and the judiciary is not well trained or adequately funded. In light of such human rights abuses as mass genocide, most Burundian citizens have little confidence that the judicial system can

offer them even the most basic protection.

The government of Burundi restricts freedom of assembly. The present government has allowed no demonstrations. The government also restricts freedom of association—it has arrested many members of organizations and political parties. Freedom of movement is restricted.

Violence against women has occurred but is undocumented. Police rarely intervene in domestic disputes and the media rarely report incidents of violence against women. Women in Burundi endure inequality both in society and in law. Through discriminatory inheritance laws and credit practices, women are denied economic parity with men. Women also have fewer opportunities for education.

In conclusion, the present government of Burundi actively violates many of its citizens' human rights. Even if it didn't, however, it cannot satisfy its citizens' most basic needs. Much of the government's resources are used to continue the civil war, in which its own citizens are the primary victims. Under the present regime, there is little hope of guaranteeing even the most basic rights to Burundian citizens.

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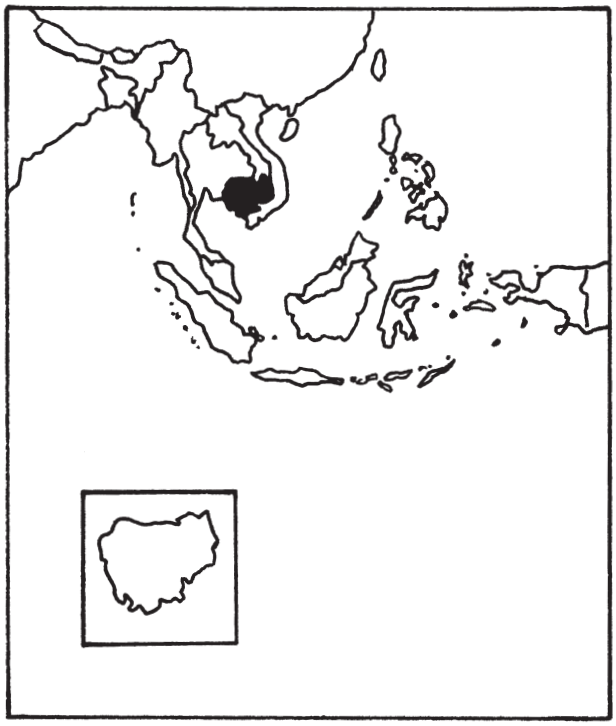
Cambodia



Cambodia is a country in southeastern Asia that is bounded on the north and northwest by Thailand; on the northeast by Laos; on the east and the southeast by Vietnam; and on southwest by the Gulf of Thailand. Phnom Penh is the capital city. Cambodia has a population of approximately 11.6 million. About 90 percent of Cambodians are ethnically Khmer, while the remainder include Vietnamese (5 percent), Chinese (1 percent) and others (4 percent). Khmer is the official language, but French is widely spoken. Theravada Buddhism is the state religion and professed by about 95 percent of the population. The remainder are mostly Cham Muslims who are generally well integrated into society. Cambodia has been a multiparty democracy under a constitutional monarchy since 1993.

BACKGROUND

Cambodia's economy is based primarily on subsistence farming. Rice is the principal crop. Decades of war have left the country in extreme poverty, particularly in the countryside, where human resources are low and there is a total lack of basic infrastructure. Annual per capita gross domestic product is about $300. Recurring political instability hinders foreign investments, tourism, and business. Economic aid from major foreign donors, including the UN Development Program, Australia, Canada, Denmark, France, Italy, Japan, Sweden, Thailand, the United Kingdom, and the United States, comprise a significant portion of the national income.

A French colony since 1884, Cambodia achieved full independence in 1953 and became a monarchy under Prince Norodom Sihanouk, king from 1941 to 1955 and head of state from 1960. In the 1960s, eastern Cambodian provinces were used—without Cambodia's permission—as bases for communist North Vietnamese Army and Vietcong guerilla forces fighting against South Vietnam. In 1969, as these bases became more active, the United States military mounted air raids to destroy them. In 1970, U.S.-backed General Lon Nol overthrew Prince Sihanouk and assumed power; the country was renamed the Khmer Republic. Sihanouk formed a government in exile in Beijing.

Lon Nol was very unpopular, and the communist opposition, the Party of Democratic Kampuchea, also known as the Khmer Rouge (Red Khmer), succeeded in

overthrowing his government (with some help from communist North Vietnam). The Khmer Rouge, with great brutality, ruled the country from 1975 to 1979. They established a communist People's Republic under the leadership of Pol Pot, Ieng Sary, Nuon Chea, and Son Sen. The stated goal of Pol Pot was to return the country to the "Year Zero," and build a new Cambodia (renamed Kampuchea) from the ground up.

To achieve its ends, the new regime sought control over every aspect of life and forcibly imposed compliance through terror. Hundreds of thousands of people were evacuated from the cities into the countryside and forced to work the land. Cambodians who had been civil servants or who had served in the military of the former government, as well as anyone who opposed the Khmer Rouge, were all executed. Simply wearing glasses—a sign of middle class status to the Khmer Rouge—might be enough to trigger execution. The record of human right abuses carried out under the Khmer Rouge was one of the worst of the twentieth century, during which massive numbers of people were brutally murdered in public executions and in torture centers, or died of starvation and disease. An estimated 1 to 3 million people—out of a population of roughly 7.3 million—were killed from 1975 to 1979.

Although communist, the leadership was strongly anti-Vietnamese and opposed Vietnam's attempt to create an Indochina Federation. In 1978, Vietnamese troops invaded Cambodia, supported by its puppet Cambodian allies, the Kampuchean United Front for National Salvation. While many world leaders condemned this invasion, it did have the beneficial effect of pushing the Khmer Rouge out of power and ending their attempts to kill millions of their own people.

In 1979, Heng Samrin was installed as the head of state in the new People's Republic of Kampuchea (PRK). Heng Samrin's regime was kept in power by Vietnamese troops. From 1979 to September 1989, Vietnamese forces controlled all major urban centers and the countryside, with their presence intruding on all aspects of Cambodian life. Anti-Vietnamese sentiment was widespread. Khmer Rouge forces continued to operate in remote regions. In 1979, a noncommunist resistance force, the Khmer People's National Liberation Armed Forces, was formed to fight for independence under the leadership of former Prime Minister Son Sann. In 1981, another military organization, the National United Front for a Neutral, Peaceful, Cooperative, and Independent Cambodia (FUNCINPEC), was formed under the initiative of Prince Sihanouk. Both organizations provided a political alternative to the Vietnamese-supported government, which most Cambodians hated, and the Khmer Rouge guerrillas, whom most Cambodians feared.

In 1986, Vietnam began withdrawing its military forces, and complete withdrawal was achieved by September 1989. In 1991, a peace proposal was signed in Paris, providing for a UN Transitional Authority in Cambodia (UNTAC) to administer the country in a transitional period and to prepare for free and fair elections. These elections took place in May 1993. The FUNCINPEC Party won the majority of votes in the national assembly and formed a coalition with other parties participating in the elections. A new constitution was promulgated in September, incorporating a wide range of internationally recognized human rights, and creating a democratic monarchical government under the symbolic leadership of Sihanouk, now elevated to king.

Two seventeen-year old-mine victims. Mines have maimed over 100,000 Cambodians.

In 1997, political tensions progressively developed between Cambodia's two prime ministers, Prince Norodom Ranariddh (King Sihanouk's son) of the FUNCINPEC Party, and Hun Sen of the Cambodia People's Party (CPP), leading to violent fighting. Eventually a coup was organized by the forces loyal to Hun Sen, putting him in control of the country. Human rights violations were committed during and after the coup. Thousands of people left the country to find temporary refuge in Thailand. Cambodia's planned entry into the Association of South East Asian Nations and the United Nations was momentarily suspended. A cease-fire was declared in February 1998.

National elections were held in July 1998, resulting in a victory for the Cambodian People's Party, with the FUNCINPEC as the second major party. Smaller parties alleged that the elections were marred by irregularities and fraud in registration procedures and vote casting. The government denied political rights to opposition parties. There were reports of illegal arrests, harassment, intimidation, and physical abuse before, during, and after the elections. Mass demonstrations were organized in the capital in August and September. Security forces intervened violently to disperse demonstrators. Additionally, government officials affiliated with the CPP coerced members of opposition parties into fleeing from their villages. Some opposition politicians were forced to leave the country temporarily. Citizens were denied their right to vote in areas still controlled by the Khmer Rouge.

King Sihanouk has remained the head of state. CPP leader Hun Sen is currently the prime minister and Prince Ranariddh of FUNCINPEC is the president of the unicameral National Assembly. Most of the power lies in the executive, with the legislature playing a subordinate role. In practice, Prime Minister Hun Sen rules the country with little effective opposition. The judiciary is not independent, and is subject to widespread corruption.

Until recently, Khmer Rouge guerrillas still controlled some areas of the country; in 1998, there were reports of civilians being killed during clashes between Khmer Rouge and government forces. By the end of 1998, most of the Khmer Rouge had defected to the government armed forces, despite their past involvement in human rights abuses. By early 1999, the Khmer Rouge insurgency was effectively over. Membership in the Khmer Rouge is illegal.

HUMAN RIGHTS

In November 1998, the United Nations Special Representative on the situation of human rights in Cambodia reported to the UN General Assembly that the government continues to infringe on basic human rights. Great concern was expressed about the immunity given to human rights violators, especially leaders of the Khmer Rouge.

Civilian police were responsible for several extrajudicial killings, while members of the security forces regularly tortured, beat, and killed detainees under custody. There were politically motivated killings and disappearances, including the murder of Buddhist monks, both during and following the July 1998 elections, and before and after opposition demonstrations in August and September. It is estimated that hundreds of people were arbitrarily arrested and detained for expressing their political views.

Crime is rampant in Cambodia. With the large numbers of weapons brought into the country during more than twenty years of warfare, criminals have easy access to guns. Even the United States ambassador was robbed during a casual stroll through Phnom Penh. Domestic violence is also common, with disputes over television watching sometimes turning lethal. The police are fairly ineffective at preventing this ongoing crime wave. This sometimes leads private citizens to attempt to carry out vigilante justice.

Prison conditions are very poor, with overcrowding, malnutrition, and poor security being the main problems. Pretrial detention is common. Although entitled to legal representation by the law, in practice criminal suspects do not have access to such representation. Cambodia does not respect the constitutional provision for an independent judiciary and due process. Ministries often refuse to respond to the courts' requests for prosecution; as a result, the crimes committed by government officials usually remain unpunished. The civil court system is corrupt and inefficient due to a serious shortage of attorneys and a lack of resources.

Cambodia infringes on the right to privacy by conducting searches without warrants and by monitoring private electronic communications. Government officials also used intimidation to force citizens to vote for the CPP in the July 1998 elections.

Cambodia partially limits freedom of speech and the press. The constitution itself requires that speech should not affect public security. The press law implicitly prohibits publications that potentially endanger political stability or national security. Journalists practice self-censorship for fear of persecution. However, all major political parties have free access to print media, and there are a large number of independent newspapers that remain critical of the government. Foreign language newspapers publish regularly. The government, military forces, and political parties control the broadcast media. However, during the most recent election, opposition party views were excluded.

Although the constitution prohibits discrimination based on sex, ethnicity, language, religion, disability, or social status, Cambodia does not enforce these provisions in practice. The condition of women is affected by cultural traditions that limit their opportunities for economic advancement. Women tend to work in low-paying sectors of the economy. They also remain significantly underrepresented in politics. Violence against and domestic abuse of women constitute serious problems. Cambodia has been unable to enforce the law against prostitution and trafficking in women, and prostitution flourishes in urban areas.

Children's welfare is not protected. The United Nations estimates that 20 percent of children under five years of age suffer from severe malnutrition, and that 12 percent under age five die from diseases. The educational system is inadequate due to lack of resources and well-trained teachers. Child abuse, child prostitution, and trafficking in children are common. Child labor is not effectively monitored by the authorities, especially in rural areas.

People with disabilities do not have access to buildings or governmental services. Years of war have left behind thousands of amputees, who are victims of land mines. These people are often victims of societal discrimination. The constitution does not explicitly protect ethnic minorities. Vietnamese residents and citizens are subject to discrimination by Khmer citizens. The Khmer Rouge killed dozens of Vietnamese in 1998.

Cambodia does not enforce the legal provision against forced labor, including forced labor by children. Additionally, worker's rights are not fully respected. Safe work standards, minimum wage requirements, and workers' health provisions are not enforced. Antiunion discrimination is common. Cambodia generally respects freedom of movement within the country, foreign travel, and repatriation. In September 1998, however, opposition politicians were restricted from traveling abroad following the inauguration of the National Assembly.

Cambodia cooperates with the United Nations High Commissioner for Refugees (UNHCR) in assisting in the repatriation of refugees, particularly from Thailand. Additionally, displaced persons were granted permission to resettle in other areas of the country. However, a coherent government policy on the issues of refugees, asylum seekers, or first asylum has not yet been clearly formulated.

In January 1998, Cambodia and the UNHCHR agreed to an extended presence in Cambodia of the Office of the UNHCR until March 2002. Domestic and international human rights organizations have been active since the UNTAC period. There are also approximately forty non-governmental organizations involved in human rights activities. Cambodia generally cooperates with human rights groups in their investigations. However, Amnesty International reports that human rights workers have been harassed by government officials and some have been subjected to death threats.

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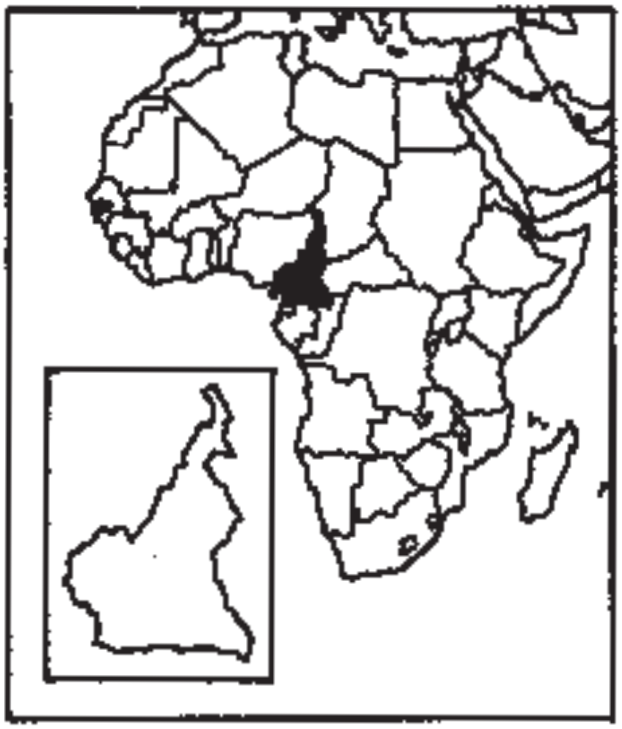
Cameroon



The Republic of Cameroon in western Africa, is bounded on the northwest by Nigeria; on the northeast by Chad; on the east by the Central African Republic; on the south by the Republic of the Congo, Gabon, and Equatorial Guinea; and on the west by Biafra. Although Yaounde is the capital city. Douala is the largest city and the main industrial and commercial center. Cameroon has a population of approximately 15 million. It has been estimated that in Cameroon there are 270 ethnic groups concentrated in five major areas and speaking twenty-four African languages. In addition to local dialects, people from the southwest and northwest provinces speak English as their official language, while people concentrated in the northern provinces speak French. Non-Africans comprise less than 1 percent of the total population. About 51 percent of the population profess indigenous beliefs, while the remainder are Christian (33 percent) and Muslim (16 percent).

BACKGROUND

A German colony since the late 1880s, Cameroon was partitioned between Britain and France after World War I. In 1955, a rebellion began in French Cameroon, and by 1960 the region had achieved independence under the new name of the Republic of Cameroon. In 1961, the northern half of British Cameroon joined Nigeria, while the southern half agreed to form the Federal Republic of Cameroon by joining the Republic of Cameroon. Ahmadou Ahidjo was chosen as the president of the federation. In 1972, the federation was replaced by a unitary state with a new constitution.

The 1972 constitution gives strong power to the executive. The president appoints and dismisses all ministers, including the prime minister, the governors, the senior divisional officers of the provinces, the judges, the generals and the heads of Cameroon's state corporations. New legislation is subject to approval or veto by the president. Although the constitution states that the president is the guarantor of the legal system's independence, the judiciary remains subordinate to the political influence of the executive branch. The court system is influenced by the French legal system, although the Anglo-Saxon tradition partially applies in the Anglophone provinces. Military tribunals exercise jurisdiction over civilians during martial law

or when it is necessary to control armed violence. In rural areas, traditional courts still serve to settle domestic and property disputes.

Since independence, the Cameroon People's Democratic Movement (CPDM) has controlled the government despite the legalization of opposition parties in 1990. Ahidjo was succeeded by Paul Biya, leader of the CPDM, who was reelected president in both 1992 and 1997. The 1992 and 1997 presidential elections, as well as the 1997 legislative elections, controlled by the government's Ministry of Territorial Administration, were marred by irregularities and considered fraudulent by international and domestic observers. Attempts to reform the present electoral system have failed after the government rejected the demand made by the main opposition party, the Social Democratic Front (SDF), to provide for an independent electoral commission to oversee future elections.

Despite its oil resources and favorable agricultural conditions, Cameroon remains an underdeveloped country in need of international financial assistance. Heavy civil service interference, impediments to business enterprise, an inefficient state sector, and large internal security expenditures, constitute the main obstacles to Cameroon's economic growth. Additionally, the government's mismanagement and widespread corruption aggravate the picture. Per capita gross natural product is about $590. Agriculture accounts for 25 percent of the GNP. Timber, coffee, cocoa, cotton, bananas, and rubber are the main sources of export income. The general slow pace of political and economic liberalization, together with concerns over human rights abuses, have prevented Cameroon from establishing stronger relations with the international community. Cameroon is, however, a member of the United Nations and cooperates with other multilateral organizations.

HUMAN RIGHTS

The human rights situation is poor. Citizens are not granted the basic right to change their government peacefully through fair and free elections. The 1997 presidential elections were characterized by pre-election manipulations and fraudulent vote castings, as well as by a boycott organized by the opposition parties.

Members of the security forces commit human rights abuses, generally with impunity. Arbitrary arrests and prolonged detentions are a serious problem. Journalists and members of the opposition political parties have been arrested without formal charges. There are no official estimates of the number of detained political prisoners. Torture and ill treatment of detainees in custody is common. On several occasions, prisoners died following physical abuse inflicted by police officers. Nonviolent political activists were reportedly beaten during brief detentions following antigovernment demonstrations. There are reports that government officials committed several extrajudicial killings and summary executions directed against suspected criminals. In a very few cases, Cameroon prosecuted the perpetrators. There are reports that police harassed citizens, conducted searches without warrants, and used roadblocks to extract bribes. In June 1998, during a UNICEF-sponsored "African Day of the Child," gendarmes beat children to maintain order.

Prison conditions are life threatening because of overcrowding, and a lack of sanitation, medical care, and adequate nutrition. Juveniles and nonviolent prisoners are often

incarcerated with violent adults. Corruption among prison personnel is a common problem. Detainees are often denied access to legal counseling and family member visits. The court system is inefficient and corrupt, with long delays. People are often denied a fair trial. Amnesty International reports that some prisoners arrested in 1997 following attacks by armed groups in the Northwest Province were detained for years without charge or trial.

Cameroon limits press freedom using the justification of criminal libel laws, by which a suit can be initiated in cases of alleged libel against the president or other high government officials. Since 1996, several members of the press have been arrested, prosecuted, or convicted on criminal libel charges. Additionally, private journalists practice self-censorship and are often victims of harassment and death threats from government officials. The government controls almost all radio and television broadcasts, despite a 1990 law designed to end its monopoly on domestic broadcast media. The broadcast media gives little or no attention to opposition parties. Additionally, the reception of international cable and satellite television broadcasts is restricted.

Academic freedom is not legally restricted. However, the presence of state security informants limits free political discussions on university campuses. Freedom of assembly is occasionally abridged. Public meetings, demonstrations, and processions must have governmental approval beforehand.

The constitution prohibits discrimination based on sex; however, this provision is not enforced. Women do not enjoy the same rights and privileges as men, and traditional customs govern domestic disputes and civil matters. Violence against women is common, and the law does not effectively protect women against sexual assaults or domestic violence. Female genital mutilation is still practiced in some areas.

Although primary education is technically compulsory through the age of fourteen, this provision is not enforced due primarily to a lack of funds and resources. Forced or bonded labor by children is not explicitly prohibited by law. Rural children begin working on family farms or as domestic helpers at an early age.

The constitution does not explicitly prohibit discrimination based on race, language, social status, or disability. Discrimination against ethnic minorities is widespread. In addition, indigenous Pygmies, Nigerian immigrants, and white foreigners experience discrimination. Despite constitutional provisions granting basic rights to persons with disabilities, including public assistance and access to buildings, these provisions are not respected in practice. Churches and nongovernmental organizations are responsible for providing assistance to the disabled.

Workers' rights are generally respected. However, de facto slavery continues to be practiced in some regions. Additionally, regulations regarding minimum wages and work hours, together with health and safety standards, are not effectively enforced.

Although citizens are legally free to travel, government officials restrict domestic travel in practice. There are roadblocks throughout the country at which police commonly carry out security and immigration control measures. Checkpoints are often use to extract bribes from citizens. The government has used its power against political opponents by withdrawing their passports. Authorities have also prevented persons from traveling abroad because they were carrying local independent newspapers.

Cameroon generally cooperates with the United Nations High Commissioner for Refugees (UNHCR), with a few exceptions.

At the end of 1998, there are approximately 47,000 refugees in Cameroon, primarily from Chad, but also from Rwanda, Burundi, the Democratic Republic of the Congo, Liberia, Sudan, Equatorial Guinea, and Ethiopia. Since September 1997, twelve refugees from Equatorial Guinea have been detained, and both the UNHCR and Amnesty International have been trying to prevent them from being returned forcibly to their country.

Domestic and international human rights organizations have freedom to conduct their investigations and publish their findings. However, their activities are restricted due to a lack of financial resources and trained personnel. On some occasions, the government prevented human rights monitors from investigating allegations of abuses by limiting access to prisoners, refusing to share information, or refusing to accord official recognition to non-governmental organizations.

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Canada

Canada is situated in North America, and is bounded on the south and northwest by the United States; on the north by the Arctic Ocean; on the east by the Atlantic Ocean; and on the west by the Pacific Ocean. Ottawa is the capital city. Canada has a population of approximately 31 million. Ethnic groups include British (40 percent), French (27 percent), other European (20 percent), indigenous Indian and Inuit (1.5 percent), and others, mostly Asian (11.5 percent). English and French are the official languages. Roman Catholicism (45 percent), United Church (12 percent), and Anglican (8 percent), are the dominant religions.

BACKGROUND

Formerly a French dominion, Canada was ceded to England after the Seven Years' War (1756–1763). In 1840, the Canadian colonies gained the right to internal self-governance. In 1867, the union of Upper and Lower Canada, Nova Scotia, and New Brunswick created the dominion of Canada. In 1869, Canada purchased the middle west territories from the Hudson Bay Company, from which the provinces of Manitoba, Alberta, and Saskatchewan were later formed.

Canada is a confederation with a parliamentary democracy. The English monarch, Queen Elizabeth II is the head of state and represented by a Canadian general-governor. The prime minister, as leader of the dominant political party, is head of the cabinet. The bicameral Parliament is formed by the House of Commons and by the Senate. The Supreme Court represents the judicial branch of the national government.

Canada has one of the largest market-based industrialized economies. The GDP is $21,700 per capita. Canada has substantial natural resources, large industrial and agricultural bases, and a skilled labor force. Major exports include motor vehicles, wood pulp, timber, crude petroleum, machinery, natural gas, aluminum, and telecommunications equipment. Major trading partners are the United States, United Kingdom, Germany, Japan, South Korea, France, Mexico, and Taiwan.

HUMAN RIGHTS

Canada generally respects the human rights of its citizens, and an independent judiciary deals effectively with violations or instances of abuse. Prison conditions meet international standards. The government permits visits by human rights monitors. Additionally, in the past few years, improvements have been made to detention facilities, especially in the territory of Ontario. The law provides for freedom of speech and press. However, journalists have complained that on a few occasions they could not report detailed information regarding court trials.

While Canadian law protects freedom of expression, the Canadian Supreme Court has ruled that this freedom may be restricted for the purposes of guaranteeing social harmony, combating discrimination, and promoting equality of the sexes. The court stated that the benefits derived from promoting gender equality and restricting hate speech outweighed the benefits of unlimited free speech.

Women are very active in Canada's political life. Fifty-nine of the 301 members of the House of Commons and thirty-two of the 104 senators are women. Moreover, a number of women serve as members of the

Mohawk Indians surround a Canadian army checkpoint, protesting government harassment at Kahnawake Reservation.

cabinet. Women hold the same rights as men in marriage and as property holders. Although the law prohibits violence against women, they are frequently victims of sexual harassment and spousal abuse. Women serving in the armed forces have been victims of rape and other abuses by their male colleagues. These human rights violations, however, are no more common in Canada than in other industrialized countries, and much less common than in many other countries.

Canada has demonstrated a strong commitment to children's rights and welfare by funding several programs for public education and medical care. The law protects children from abuse, overwork, and discrimination. There is no pattern of child abuse. The law provides for the rights of the disabled by mandating accessibility to buildings and public services, and the government enforces this provision in practice. However, the authorities continue to receive complaints of discrimination against the disabled in employment.

Indigenous people (Native Americans) are a serious challenge to Canadian government policies. There are many ongoing disputes over land claims, self-government, treaty rights, taxation, fishing and hunting rights, duty-free imports, and harassment by the police. Indigenous peoples are underrepresented in the workforce, and overrepresented among the unemployed and the prison population. French Canadians, mostly in Quebec, have also challenged Canada's government, claiming that their rights are not fully respected. The separatist Parti Québécois has claimed that Quebec is sovereign, but the Supreme Court has already ruled that a unilateral declaration of independence would be illegal according to Canadian and international laws.

Canadian law provides for asylum and refugee status according to the United Nations' standards. The government cooperates with the United Nations Commissioner for Refugees and other humanitarian organizations in assisting refugees. In 1999, Canada granted 40,600 individuals refugee status out of more than 41,800 claims. Many human rights organizations operate in the country without restriction, investigating and publishing their findings on human rights violations. Government officials are generally cooperative and responsive to their advice.

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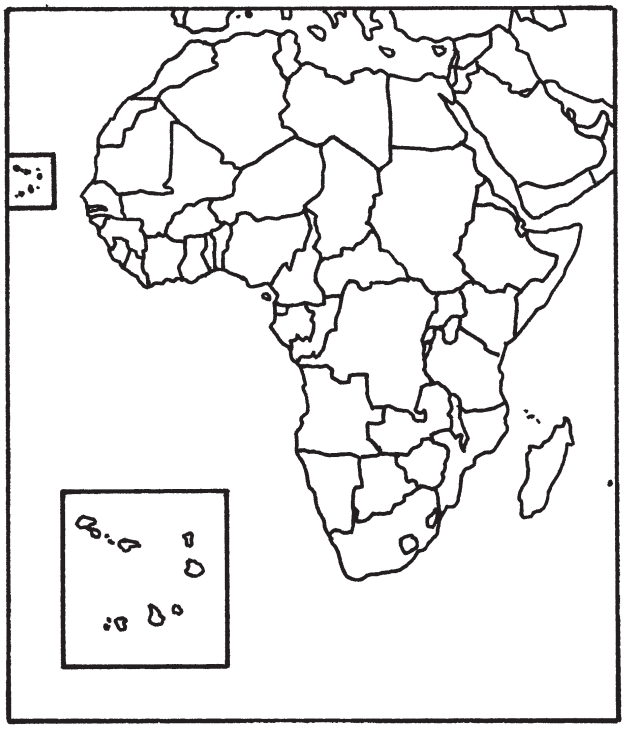
Cape Verde



The Republic of Cape Verde is an archipelago in the Atlantic Ocean, 385 miles off the west coast of Africa. Praia is the capital city. Its population of approximately 405,000 is of mixed African and European origins. About 50 percent of the population resides on the island of Santiago. Although Portuguese is the official language, a Creole dialect is widely spoken.

A Portuguese settlement since the fifteenth century, Cape Verde achieved full independence in 1975. Cape Verde is a multiparty parliamentary democracy. The African Party for the Independence of Cape Verde (PAICV) ruled the country until 1990, when opposition groups formed the Movement for Democracy (MpD) and called for the first multiparty elections, which took place in January 1991. The MpD presently holds the majority of the seats in the National Assembly. The constitution provides for the separation of powers. The president is the head of state and is elected by popular vote every five years.

The prime minister is the head of the government and proposes other ministers and the secretary of state. He is nominated by the National Assembly and appointed by the president. Members of the National Assembly hold the legislative power and are elected by popular vote every five years. The judiciary is independent. Cape Verde is a member of the United Nations and other international organizations; it also actively cooperates in foreign affairs in Africa.

Cape Verde has few natural resources and its land is arid. About 90 percent of the food supply must be imported. The economy has been based primarily on market policies promoting commerce, privatization, public services, foreign investments, tourism, manufacturing industries, and fisheries. Poverty is widespread.

HUMAN RIGHTS

Cape Verdeans enjoy a variety of human rights and freedoms, although in recent years the government has failed to implement and enforce new policies designed to address Cape Verde's human rights problems. Police officers regularly mistreat suspected criminals who are in custody. Prisons are overcrowded and do not meet minimum international standards. The judiciary is inefficient as a result of a backlog of cases. In addition, the courts have been accused of delaying or accelerating trials for political reasons.

In July 1999, a prosecutor dismissed a case against four citizens associated with the main opposition party who had been arrested for church desecration in 1996. In 1998, a judge ordered their release from detention because of lack of evidence. The prosecutor's decision in July should have ended the state's efforts to prosecute the case permanently. However, the attorney general did not confirm the prosecutor's decision and declared that the case should await better proof.

Cape Verde generally respects freedom of press and expression. However, journalists practice self-censorship within the state-owned press, the national television, and state-owned radio stations. In addition, opposition newspaper journalists and editors have been arrested and convicted under the criminal libel laws for publishing articles critical of the government.

Also, during the revision of the constitution in July 1999, the provision on freedom of expression was amended so that this freedom could not be used as a defense in cases involving defamation or offense to personal honor. This wording was strongly criticized by political opponents of the current administration and by some journalists on the ground that it could be used to limit freedom of expression.

Although the constitution contains provisions against sex discrimination and mandates equal opportunities for women, women are nevertheless subject to discrimination in employment, wages, inheritance, and custody matters. Domestic violence against women is widespread, but rarely reported to the authorities. Child abuse, especially in the form of sexual violence and mistreatment, and juvenile prostitution are significant problems. Although illegal, child labor is common in the informal labor sector. Additionally, the government is unable to enforce provisions regarding labor practices, such as minimum age requirements and safe working conditions.

Two private human rights groups are active in Cape Verde: the National Commission of the Rights of Man and the Ze Moniz Association. Additionally, women's organizations and the Cape Verdean Institute for Children promote human rights legislation and defend legal rights.

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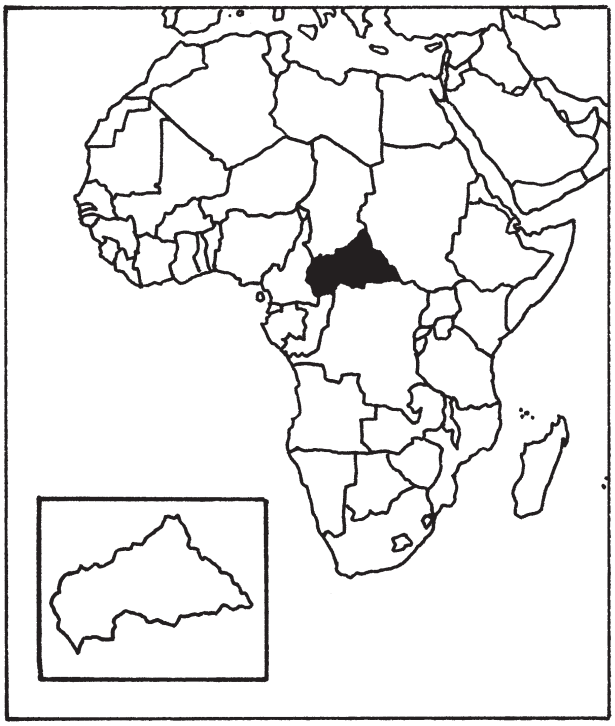
Central African Republic



The Central African Republic is situated in Central Africa. It is bounded on the north and east by Sudan, on the south by the Congo, on the west by Cameroon, and on the northwest by Chad. Bangui is the national capital. The Central African Republic has a population of approximately 3.5 million, encompassing about ninety ethnic groups. French is the official language and Sangho the national language, but many groups speak distinct primary languages. The largest ethnic groups are the Baya (34 percent), the Banda (27 percent), the Mandjia (21 percent), and the Sara (10 percent). There are approximately 6,500 Europeans living in the country. There is no state religion. Most of the population is Christian; however, traditional, tribal beliefs strongly influence the Christian majority. There is also a large Muslim community.

BACKGROUND

A former French colony, the Central African Republic achieved independence in 1960 and became a one-party state in 1962. In 1965, Colonel Jean-Bedel Bokassa led a military coup that rescinded the constitution and dissolved the National Assembly. In 1972, Bokassa declared himself president for life and, in December 1976, made himself emperor of the Central African Empire. His rule was marred by violent repressive measures and human rights abuses. In 1979, he was deposed and forced into exile. However, in 1981, General André Kolingba established another military dictatorship. In 1985, promises were made regarding the promulgation of a new constitution and the reinstatement of civilian government. Demands for a return to democracy led the government to hold a national conference, and in 1993, Ange-Félix Patassé, the candidate of the Movement for the Liberation of the Central African People (MLPC), was elected president in free and fair elections.

In 1994, a national referendum approved a new constitution and established a unicameral national assembly with a multiparty legislature. The following years were characterized by military unrest during the transition to democracy. In 1996, dissident members of the armed forces organized three mutinies to demand political and military reform. Violence continued throughout 1997 between the government and rebel military groups. In March 1998, the Conference of National Reconciliation was held with the participation of African heads

of state and representatives of international organizations. Representatives of the ruling party, opposition parties, religious groups, and other organizations important to Central African society agreed to a national reconciliation pact. Despite these efforts, elections are still neither open nor fair. The Central African Republic has yet to achieve democratic norms.

The state remains highly centralized. Although the constitution provides for a separation of powers, the president dominates the government. He can veto legislation and rule by decree under certain conditions. The judiciary is also vulnerable to manipulation by the executive. However, there are signs of growing independence.

The economy of the Central African Republic is based primarily on subsistence agriculture, which provides for half of the gross domestic product. The annual per capita GDP is about $330. The country exports timber, diamonds, coffee, cotton, and tobacco. However, constraints on economic growth, including a poor transportation system, mismanagement, and an unskilled labor force, together with recent military unrest, have resulted in a devaluation of the national currency and a high unemployment rate.

HUMAN RIGHTS

Although improved from the past, the human rights situation remains poor. Security forces commit human right abuses. There have been extrajudicial killings in the form of executions without trial of suspected bandits. Additionally, police officers beat and torture prisoners under custody. Some detainees have died after being tortured.

Prison conditions are life threatening. Prisons lack adequate sanitation, medical care, and necessities such as adequate food and clothing. Minors are commonly imprisoned with adult inmates, and are often victims of physical abuse. In some prisons, women are housed with men. Arbitrary arrests and long pretrial detentions are also common. The judiciary is inefficient due to shortages of trained personnel and a lack of material resources.

Citizens can be searched without a warrant. Telephones can be tapped without judicial authorization (opposition politicians are often the target of phone taps). The situation with respect to freedom of the press and free speech has improved in recent years. In May 1998, the National Assembly approved the new Press Code of Rights and Responsibilities that abolished the government's authority to censor the press. Private newspapers criticize the president, the government, and official corruption. However, in a few cases, editors and journalists have been harassed or arrested by the authorities because of their open criticism. On the other hand, foreign journalists can work freely. The central government still maintains its monopoly on domestic radio and television broadcasts. There are no restrictions imposed on satellite or cable television, but very few citizens can afford this luxury.

Although the constitution provides for freedom of assembly and association, the Central African Republic puts certain legal restraints on these rights. Demonstrations and public meetings require authorization by the Interior and Security Ministry. Associations and political parties need to register in order to have legal status. In 1998, one political party was suspended for a period of three months.

There is widespread discrimination based on sex, race, religion, disability, and social status. In particular, there is social, political, and economic discrimination against the indigenous forest-dwelling Pygmies,

who comprise about 2 percent of the total population. While societal discrimination against the disabled is negligible, there are no legal provisions granting them full access to services and buildings.

Women are treated as inferior to men in all aspects of social and economic life. They do not enjoy equal access to education and employment. Women are not equally represented in government. The situation is worse in rural areas. Additionally, the incidence of domestic abuse against women is very high, although rarely reported. Approximately 45 to 50 percent of adult females have undergone female genital mutilation.

The welfare of children has been neglected. Although compulsory beyond the age of five, the right to education is not effectively enforced because of a limited budget and a shortage of teachers. This failure has resulted in an increase in the number of street children who survive by begging and stealing. Although prohibited by law, child labor and child prostitution are problems as well.

The constitution provides for freedom of religion; however, it prohibits religious fundamentalism. This provision is particularly aimed at Muslims. Muslims have experienced harassment and extortion by the authorities. This harassment is largely accepted by the general population because of popular resentment of the significant role in the economy played by Muslim merchants and businessmen.

Theoretically, workers enjoy a variety of rights, including the right to form unions and to strike. However, the Ministry of Labor and Civil Service does not effectively enforce constitutional provisions regarding health and safety standards for workers.

Citizens are restricted in their right to travel within their own country and abroad. There are checkpoints along major roads where police officers often ask for bribes. Travelers move in convoy with military escorts to avoid attacks by bandits. On some occasions, the immigration authorities have not allowed citizens to leave the country for unspecified reasons.

The Central African Republic generally cooperates with the United Nations High Commissioner for Refugees in assisting refugees from Chad, Sudan, Rwanda, and the Congo. There have been no forced returns of refugees to their country when they feared persecution.

Several non-governmental organizations operate in the Central African Republic for the purpose of monitoring human rights violations. In particular, the Central African Human Rights League (LCDH) brings human rights cases before the courts.

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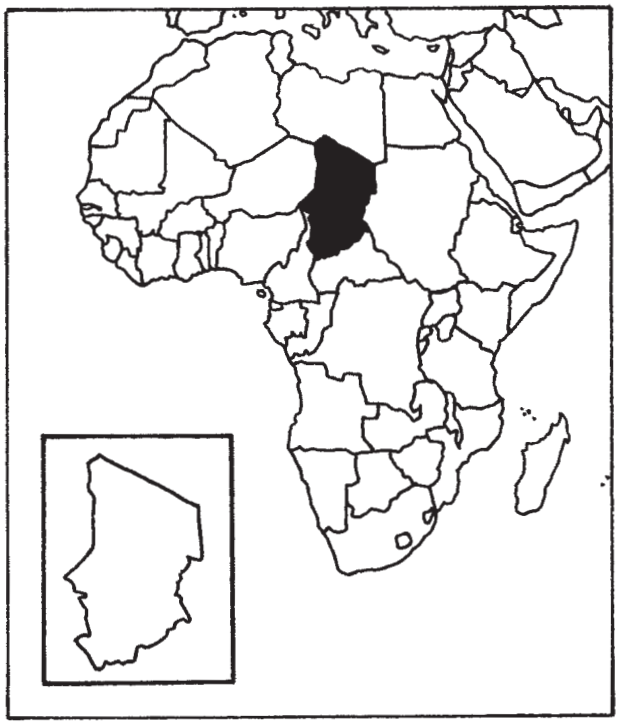
Chad



The Republic of Chad is situated in Central Africa. It is bounded on the north by Libya; on the east by Sudan; on the south by Central African Republic; and in the west by Cameroon, Nigeria, and Niger. N'Djamena is the capital city. Chad's population of approximately 7.5 million includes about 200 ethnic groups. Although French and Arabic are the official languages, there are more than 200 different languages and dialects spoken in Chad. About half the population is Muslim and concentrated in the north, while most southerners practice Christianity (25 percent) or a traditional religion (25 million).

BACKGROUND

A French colony since 1920, Chad achieved independence in 1960. In 1965, a tax revolt degenerated into a long civil war that set the Muslim north and east against the southern-led government. In 1979, after a series of international conferences led by the Organization of African Unity, the Lagos accord was signed in Nigeria. It established a provisional government to bring the Chadian factions together. However, the coalition proved fragile and the fighting resumed. The northerners sought and obtained Libyan intervention, while the southerners acquired military support from Nigeria, Senegal, Zaire, and the United States. In 1983, France also intervened to assist in defending the southern-based provisional government.

In 1990, after decades of civil war, Idriss Deby, former northern guerrilla leader, seized control of the government. His transitional government came to terms with most political-military groups in the country. The territorial dispute with Libya was settled on conditions favorable to Chad. A popular referendum ratified a democratic constitution in March 1996, and the first multiparty national presidential elections were held in June and July 1996. Deby was elected president with 67 percent of the vote. In January and February 1997, multiparty elections for the national assembly confirmed Deby's party, the Patriotic Salvation Movement (MPS), as the ruling party. Both the 1996 presidential elections and the 1997 legislative elections were compromised by reported irregularities committed by election officers, government officials, members of the ruling party, and other parties. Tensions continue between government supporters from the politically dominant

northern region and rebels from the subordinate southern region.

Although the constitution provides for the separation of powers, the government remains highly centralized with a strong presidency. All government officials are appointed by the central government. The prime minister, as the head of the government, is nominated by the president and confirmed by the unicameral national assembly. The legal system is based on the French civil law system and Chadian customary law. The judiciary is subject to external influence, especially from the executive.

Chad participates in many international organizations, including the United Nations, and maintains close relationships with France and other members of the Western community. It receives economic assistance from the European Union and the United States. Chad is also an active supporter of regional cooperation through the Central African Economic and Customs Union and other African commissions.

Because of its poor geographic location, the prevalence of drought, and the political situation, Chad's economic development has not reached its full potential. Annual per capita GDP is estimated at $225. About 85 percent of the population depend on subsistence agriculture, herding, and fishing. There is little industry. Widespread corruption and inefficient state-owned monopolies further aggravate the situation. Although Chad has substantial oil reserves, the government does not exploit these resources and relies heavily on international aid programs.

HUMAN RIGHTS

The human rights situation is poor. The security forces commit serious human rights abuses, including torture, beatings, and rape of civilians. Members of the security forces have also committed extrajudicial killings. Most of the victims were unarmed persons believed to support rebel groups, including the armed forces for the Federal Republic/Victims of Aggression (FARF/VA) in the southern region. Amnesty International reported that in March 1998, 100 people were summarily executed during a counterinsurgency campaign in the south. No government action was taken to prosecute the perpetrators, and authorities have failed to provide satisfactory responses to inquiries made by human rights organizations regarding persons who disappeared while in custody. Additionally, security forces use arbitrary arrests and detention.

Prison conditions are poor. Overcrowding, inadequate food, and poor sanitation are among the most serious problems. Additionally, juvenile, adult female, and male prisoners are often incarcerated together. The judiciary is ineffective due to a backlog of cases and a lack of funds. Judicial officials have low salaries and are easily subject to corruption and interference from the executive branch. Officials and other influential persons often have immunity from judicial sanctions. In 1998, an opposition leader was denied legal counsel during a criminal trial.

Authorities infringe on citizens' rights to privacy by conducting arbitrary searches, monitoring private mail, and wiretapping without judicial approval. Chad does not respect constitutional provisions regarding freedom of speech and freedom of the press. It imposes official and informal censorship on the press and on broadcast media. The official media emphasizes government and ruling party events and gives little attention to opposition political parties. Several journalists writing for private newspapers have been harassed or convicted on crimi-

nal libel charges for their open criticism of the government.

Radio remains the most popular medium of communication and information, because of widespread illiteracy and the high cost of television and newspapers. There is only one domestic non-government radio station, which is owned by the Catholic Church. Governmental policies and high licensing fees prevent the establishment of other privately owned commercial radio stations. The state maintains its monopoly over the domestic television broadcasts and the international telecommunication system.

Although the constitution provides for freedom of assembly and association, Chad restricts these rights in practice. On some occasions, the authorities banned legal demonstrations. In 1998, eight human rights organizations were suspended after calling on citizens to protest human rights abuses committed by government security officers.

Cultural traditions support societal discrimination against women. Women do not have equal educational or job opportunities. They are underrepresented in government and politics. Additionally, domestic violence, including female genital mutilation, is widespread.

Chad has shown minimal commitment to child welfare. Compulsory education is not enforced. Girls as young as eleven years old are often illegally forced into marriages by their families for the financial gain of a dowry. Although prohibited, the law against forced or bonded labor by children is not effectively enforced. People with disabilities do not benefit from constitutional provisions mandating accessibility to public buildings.

The constitution also prohibits discrimination based on ethnicity or religion. However, interethnic marriages are rare and patterns of segregation in urban neighborhoods are common, as are armed conflicts among ethnic and religious groups. Members of the president's ethnic minority control the public sector and hold key positions in institutions of state power. The FARF/VA rebellion results in deaths and human rights abuses by both rebels and government forces.

Workers' rights are not effectively enforced by Chad. The government does not enforce laws concerning minimum wages, maximum work hours, and safety standards. There have been instances of forced labor in some areas. Additionally, the constitution does not specifically prohibit antiunion discrimination. In principle, Chadians enjoy the right to travel within the country and abroad. In practice, roadblocks controlled by security forces, guerrillas, and bandits impede free movement throughout the country. Travelers are often extorted, assaulted, robbed, and killed. The government has not taken effective measures to address these problems.

Chad generally cooperates with the United Nations High Commissioner for Refugees and provides first asylum to refugees. It has granted refugee and asylum status, allowing people to remain in Chad for resettlement. Refugees have not been forcibly returned to their countries of origin. Chadian refugees are free to repatriate; however, several thousand have chosen to remain in the Central African Republic, Niger, Nigeria, Cameroon, Libya, and Sudan.

The government occasionally restricts human rights organizations in their activities. Domestic non-governmental organizations (NGOs) and human rights groups need prior authorization to visit civilian prisons. Access is denied to military prisons. Authorities are often unresponsive to

allegations of human rights abuses. However, human rights groups and non-governmental organizations have played, and continue to exercise, a major role in negotiating peace accords between the government and rebel groups.

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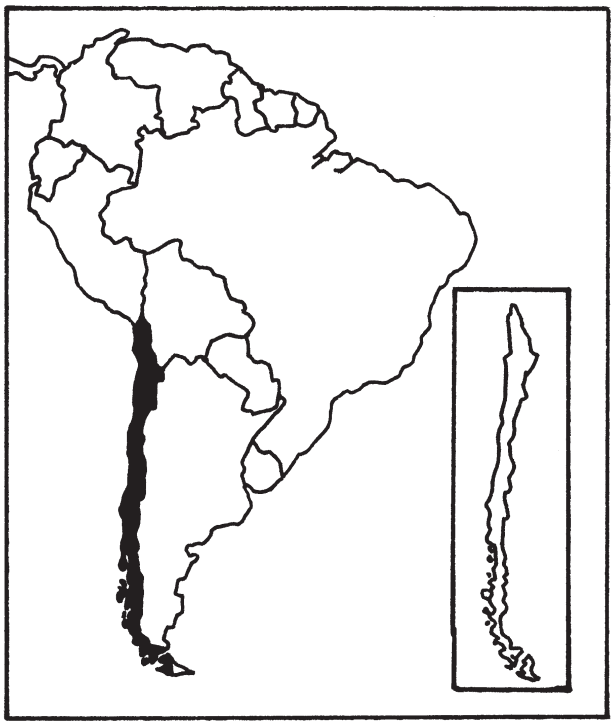
Chile



The Republic of Chile is a country in South America. It is bounded on the north by Peru and Bolivia, on the east by Argentina, and on the south and west by the Pacific Ocean. Santiago is the capital city. Chile's population of approximately 14.9 million includes Spanish Native Americans (mestizo), Europeans, and Native Americans. Spanish is the official language. About 89 percent of the population is Roman Catholic, the remainder is largely Protestant.

BACKGROUND

A Spanish colony, Chile achieved independence in 1810 and a parliamentary-style democracy was established by the end of the ninteenth century. However, political and economic instability resulted in the quasi-dictatorial rule of General Carlos Ibanez between 1924 and 1932. After the restoration of constitutional rule, Marxist groups started to emerge and attempted to support the people's interests against those of the dominant oligarchy.

In 1970, Dr. Salvador Allende, a Marxist and member of Chile's Socialist Party, won the presidential election by a narrow margin. His program included the nationalization of private industries and banks, and the collectivization of farming lands. The general deterioration of the economy in the aftermath of his election resulted in mass demonstrations, recurring strikes, and violence by both government supporters and opponents, including widespread rural unrest. Chile's society split in half. In 1973, a military coup overthrew Allende, who committed suicide. Following the coup, Chile was ruled by a military regime headed by General Augusto Pinochet until 1990. The first decade of the regime was marred by serious human rights abuses, murders, and "disappearances." However, despite his authoritarian political rule, Pinochet allowed a largely free-market economy.

In 1988, a national plebiscite denied Pinochet a second term as president. In 1989, Patricio Aylwin, candidate of a multiparty center-left coalition, was elected president. In 1994, Eduardo Frei replaced him in office. President Frei was replaced in 2000 by Ricardo Lagos. In October 1998, retired General Pinochet was detained in the United Kingdom, pending resolution of a Spanish extradition request on charges

of torture, kidnapping, genocide, and murder. The British authorities eventually released Pinochet, but the Chilean supreme court then rescinded his immunity from prosecution. It seems quite possible that Pinochet may yet receive some punishment for the human rights violations committed while he was in power.

Chile is a multiparty democracy with a strong executive and a bicameral legislature. The constitution, last amended in 1989, establishes institutional limits on popular rule. However, the government has called for modifications of those constitutional provisions that were designed to protect the interests of the military and the conservative political opposition. The judiciary is formally independent.

Since its return to democracy, Chile has been an active member of the United Nations and some UN specialized agencies. It is also a member of the Rio Group and of the Non-Aligned Movement, and it was one of the most supportive countries of the 1994 Summit of Americas.

Chile's economy is largely based on international trade. It maintains its association agreements with the European Union, Argentina, Brazil, Paraguay, and Uruguay in the Southern Cone Common Market (MERCOSUR), and it is a number of the Asia-Pacific Economic Cooperation (APEC) forum.

Chile's most important exports include copper, salmon, forestry products, fresh fruit, fishmeal, and manufactured goods. The economy experienced a setback after years of expansion, as a result of the global economic slowdown in the 1990s. Since 1981, the establishment of a private sector pension system has been increasing domestic savings and the amount of investment capital, which is substantially supplemented by foreign investment. The unemployment rate is about 9 percent nationwide. The annual per capita gross domestic product is estimated at approximately $4,500. About 22 percent of the population still lives below the poverty line.

HUMAN RIGHTS

The government generally respects the human rights of its citizens. Most human rights concerns are related to the abuses committed during the previous military regime, and the judicial system continues to investigate, prosecute, or close pending human rights cases. Of the 1,286 individuals who disappeared under the military regime, more than 1,000 have not yet been found. Under the amnesty law, the courts should not close a case involving a disappearance unless either the body is found or credible evidence is provided of the individual's death. However, application of the law remains uneven within the courts. Several denials of justice in cases involving disappearances or executions have been filed with the Inter-American Commission on Human Rights (IACHR) as well as with the United Nations Commission for Human Rights (UNCHR).

Problems persist in other areas as well. The security forces, in particular the police, continue to commit human rights abuses in the form of extrajudicial killings, torture, use of excessive force, and physical abuse of detainees in prisons. The authorities generally investigate allegations of abuse involving public officials and convict the perpetrators. However, they continue to be reluctant to offer their full cooperation in the investigation of those who were killed or who disappeared during and after the 1973–1978 period. Military courts, in par-

Graves probably belonging to some of the victims of Augosto Pinochet's repressive regime.

ticular, are prone to close cases involving members of the armed services.

The security forces occasionally use arbitrary arrest and detention. In addition, constitutional provisions regarding detainees' rights are not always respected. The authorities neither advise detainees of their charges at the time of arrest nor ensure them a prompt hearing before a judge. Detention facilities are overcrowded and antiquated. Prisoners often complain of beatings and other physical abuses by guards.

The government generally respects freedom of speech and the press. The press is independent and covers a broad variety of political views and sensitive issues. The electronic media are also independent of governmental control. However, investigative journalism is still rare. In addition, the defamation of state institutions and symbols remains an offense punishable under the State Security Law of 1958.

The government respects freedom of assembly and freedom of association, including the right of workers to form and join unions. Occasionally, incidents were reported as a result of confrontations between the police and demonstrators. In May 1999, a student was killed during a demonstration protesting the amount of the government's budget allocation for higher education.

Various forms of discrimination still exist. For instance, women continue to face discrimination in salary and legal matters, including divorce and property issues. In addition, violence against women, particularly sexual and domestic violence, is a serious problem.

Child abuse is a problem as well. UNICEF reports that some form of corporal punishment is used by either parent in at least 62 percent of households. In addition, child labor is widespread, with an estimated 50,000 children under age fifteen being in the workforce and 10,000 involved in prostitution.

People with disabilities still suffer some forms of discrimination in employment and access to public services or buildings. Moreover, members of ethnic minorities experience some societal intolerance and indigenous populations remain marginalized.

The government grants refugee and asylum status in accordance with the provisions of the 1951 United Nations Convention Relating to the Status of

Refugees and its 1967 Protocol. It also cooperates with the UN High Commissioner for Refugees in assisting refugees.

There are several non-governmental human rights organizations (NGOs) operating in the country without government restriction. Many international NGOs investigate human rights issues very closely. Occasionally, threats to human rights activists have been reported, although none of these threats has been carried out recently.

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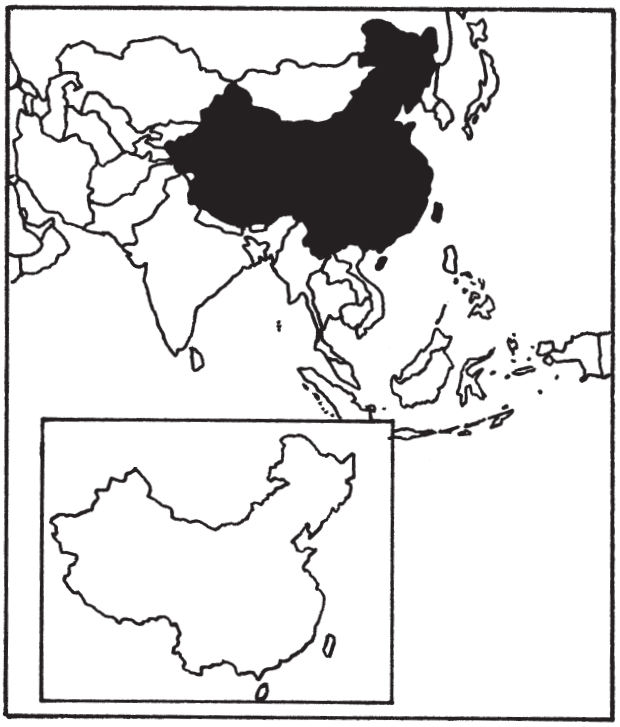
China



China is a large country in eastern Asia bordered by Russia, Afghanistan, Pakistan, Tajikistan, Kazakhstan, Nepal, Bhutan, Myanmar (Burmar), Laos, Vietnam, North Korea, and Mongolia. Its population is approximately 1.4 billion, making it the most populous country in the world. Most of its people are Han Chinese (92 percent), with the rest being a mix of minorities, including Tibetans, Mongols, Koreans, and Manchus. The capital is Beijing. Officially the country is atheist, but in practice a number of Chinese follow Buddhist, Taoist, and Confucian traditions (sometimes a mix of all three). There are also Christian minorities, as well as small religious sects, the largest of which is the Falun Gong. The government is authoritarian and is completely under the control of the Chinese Communist Party (CCP).

BACKGROUND

China is the home of one of the world's oldest civilizations. The first Chinese state existed more than 2,500 years ago. Since then, the area where China is located was occupied almost continuously by a series of empires, with only brief periods of political disunity. At first concentrated in the north and east, these empires gradually expanded the areas under their control to include all of present-day China. In this process, they absorbed the local peoples and imposed upon them their own culture and language. Although modern China still contains some ethnic minorities who have maintained their cultural traditions (Muslims, Tibetans), most peoples have been effectively absorbed and assimilated.

In the nineteenth century, European armies forced the Chinese Empire to allow them to establish bases all along the Chinese coast. From these bases—the most important of which was the British-controlled city of Hong Kong—the Europeans spread their economic and political influence into the heart of China. The Chinese state, unable to withstand modern European weapons, began to fall apart.

In the twentieth century, China has gone through a long period of turmoil. The fall of the last Chinese Empire, that of the Manchu, or Qing, Dynasty in 1911, left China without any strong government. A period of chaos ensued, out of which rose two competing political movements: the Kuomintang (KMT, or Nationalist Party) and the CCP. A final civil war between the two

(1945–1949) forced the Nationalist government to flee to the island of Taiwan, and left the CCP in control of mainland China.

China's new communist leader, Mao Zedong, gave China twenty-seven years of harsh and arbitrary government. The state took complete control of the economy and cruelly punished any resistance. Poor economic policies by Mao's government, combined with political upheavals, led to the death of millions of innocent Chinese.

Mao's death in 1976 allowed China to begin a slow shift toward a somewhat freer society. Mao's successor, Deng Xiaoping, initiated economic reforms that allowed Chinese citizens to own property and invest in their own businesses. These policies, combined with foreign investment, led to a Chinese economic revival. China's economy grew, and continues to grow, rapidly.

While Deng's government allowed economic reform, it did not want to allow its people any political freedom. The CCP remained in charge. In 1989, tens of thousands of students demonstrated in Beijing's Tiananmen Square, demanding more freedom and some degree of democratization. The government responded by sending in tanks and crushing the demonstrations. Hundreds of Chinese students died, and many others fled abroad.

Deng died in 1997, but the new leaders of the CCP remained firmly wedded to his policy of continuing economic reforms without allowing any political freedoms.

As a result of Deng's and his successor's policies, China has a growing middle and upper-middle class who are starting to enjoy the pleasures of a consumer society,

A column of Chinese tanks is halted by a lone protestor during the Tiananmen Square demonstrations, 1989.

Soldiers in the middle of rubble left after the Tiananmen Square protests were crushed, 1989.

including cell phones, DVD players, Internet access, and Japanese cars. However, most of the population, particularly in rural areas, remains mired in poverty. China's economic reforms have yet to benefit everyone equally.

HUMAN RIGHTS

China has a very poor human rights record. Most centrally, China remains a dictatorship under the control of the CCP. The Chinese people have no way of freely choosing their own government. Although the CCP no longer is very loyal to the socialist ideals of Karl Marx, it remains determined to maintain a one-party state.

The Chinese government continues to repress all political activity. The recent attempt by a few Chinese activists to form an independent political party, the China Democracy Party (CDP), has been almost completely crushed. Most CDP leaders have been put in jail, and the small party seems unlikely to recover.

The Chinese judicial system does not give its people the right to a fair trial. The courts are dominated by the CCP, and those arrested for political reasons are almost always convicted. Trials are often held in secret, and many of those on trial have no access to a defense attorney (or they are given an attorney who is an employee of the government, and who cooperates with the prosecuting attorney in convicting the accused).

The police and judiciary are also tainted by corruption. Police and judges take bribes, and it is much more likely that a poor defendant will be convicted than a rich one. Sometimes the police and courts will

target someone who has made the mistake of competing with the wrong businessmen. Entrepreneurs with government connections or enough money can make it difficult or impossible for the competition to oppose them. Poorly connected businessmen can even find themselves in jail without having committed any crime. However, the government seems to make periodic and sincere attempts to stamp out corruption. In the rare event that they are caught and convicted, corrupt judges and police can suffer severe punishment, including the death penalty. On May 12, 1999, seven important Communist Party officials were sentenced to death for corruption; six of the officials were later executed.

There have also been some attempts to improve the judicial system in China. It is now possible for Chinese citizens to sue government officials or agencies, and thousands of these lawsuits are filed every year. Accused criminals have also been given more rights during a trial, and it is now more likely that an accused prisoner can escape conviction. These reforms, however, are limited in scope and effectiveness, and tend not to apply in political cases.

The Chinese prisons do not meet international standards. Prisoners are treated harshly, particularly political prisoners. Guards commonly beat prisoners they consider troublemakers. In addition to regular prisons, the Chinese government also operates a number of labor camps where prisoners are forced to perform hard labor as a form of "re-education." Medical care in prisons is poor and many prisoners leave prison in ill health, sometimes on the verge of death. Information on conditions in prisons is limited because the government refuses to allow human rights observers to visit any part of its prison system.

Many prisoners are serving sentences for political crimes. These prisoners can serve very long sentences for relatively trivial crimes. One group of men remains in prison for the crime of throwing paint on a picture of Mao Zedong. A number of pro-democracy activists remain in prison who were arrested during the 1989 Tiananmen Square protests.

The Chinese judicial system makes extensive use of the death penalty. The death penalty can be imposed for a variety of crimes, including simply opposing the government and contributing to instability. It is not known how many people are executed each year, but the best estimates are in the thousands. There are reports that against their wishes, executed prisoners have had their organs used for medical transplants.

The Chinese constitution forbids the use of torture, but in practice this has little effect. The police in China use torture and intimidation against citizens who resist the state. Methods of torture include solitary confinement, beatings, use of electric prods, and even being burned with cigarettes. The police and security forces have targeted Tibetan monks and nuns for particularly harsh treatment. A number of those tortured die, either while in police custody or not long afterward.

The Chinese government also denies its citizens the right to privacy. Police and security forces listen in on phone conversations, open mail, and break into homes without warrants. The police also monitor Internet access, but this is difficult and some Chinese dissidents have been able to use the Internet to spread their ideas and keep in touch with their fellow activists. Prominent dissidents are often put under police surveillance. Government harassment makes it difficult for these people to lead normal lives. Some are driven nearly insane by the constant government intru-

sion into their lives.

Free speech and a free press are also not allowed in China. Either directly or indirectly, the government controls most newspapers and radio stations. Journalists who work for theoretically independent publications practice self-censorship to avoid government prosecution and intimidation.

Chinese workers do not have the right to form independent unions or go on strike, and Chinese citizens do not have the rights to freely assemble or to freely move about or to leave their country. However, the government is more careful about preventing unwanted immigrants than stopping illegal emigrants. There is an extensive network of people smugglers who, sometimes with the cooperation of government officials, transport poor Chinese out of the country and send them to places in need of cheap labor. These Chinese economic emigrants are treated extremely harshly, sometimes being forced to work in conditions that are the equivalent of slavery.

China allows only limited religious freedom. Religious organizations are allowed to exist, but they must register with the government. Those that do not register, or that do not meet the government's approval, can be closed down. In practice, religious minorities can function, but suffer intermittent harassment. The degree of harassment often seems to depend on the attitude of local CCP officials. In some regions officials are fairly relaxed, in other areas religious leaders are arrested on the slimmest of pretexts. The government recognizes and gives limited tolerance to five religions: Catholicism, Protestantism, Buddhism, Islam, and Taoism.

The spiritual movement called Falun Gong has come under particularly harsh attack in the last few years. To outside observers, the Falun Gong adherents appear to be a harmless, if somewhat eccentric, collection of individuals who believe in the power of meditation to achieve physical, financial, and spiritual well being (their leader, for example, has claimed that his meditation techniques allow him to fly). The Chinese government, however, has treated the Falun Gong as a threat to internal security and has continued to crack down on their activities. Many Falun Gong leaders have been arrested, while many followers have been put into psychiatric hospitals. The police and army have been called on to brutally break up Falun Gong demonstrations.

Perhaps China's most famous human rights attacks on religious freedom have occurred in Tibet. Situated in the far western part of China, Tibet was once an independent state. Chinese troops took over the country in 1950, forcing its spiritual leader, the Dalai Lama, to flee to India. Since then the Chinese government has carried out a policy of repressing all signs of loyalty to the Dalai Lama, as well as all movement toward reestablishing an independent Tibet. Occasional demonstrations by Tibetans almost always trigger immediate and violent response by the government. Thousands of protesters have been killed by Chinese security forces. The government also arrests those it suspects of disloyalty; many of those arrested are tortured. Despite these harsh policies, many Tibetans remain loyal to the Dalai Lama and continue to pray for his return. The cause of Tibetan independence has attracted a moderate degree of international attention—including that of some U.S. celebrities. Nevertheless, the Chinese government shows no sign of being willing to end its control of Tibet.

Chinese citizens also do not share in the universal right to have a free family life. In an

Tibetan Buddhist monks demonstrating in favor of independence for Tibet, 1998.

effort to control its burgeoning population, the government puts heavy financial and social pressure on couples to have no more than one child. This is particularly true in the cities. In rural areas, controls are more relaxed, and couples with two or three children are more common than those with just one. As part of these population control policies, the government also pressures people with two or more children to voluntarily submit to medical sterilization. Although the government is not supposed to use force to prevent births, local officials—under pressure to meet government birth limit quotas—have been known to use both forced sterilizations and forced abortions.

Because of the cultural preference for boys over girls, female babies, whose gender can be determined by sonogram, are often aborted. This has resulted in 117 boys being born for every 100 girls. Many human rights advocates consider this anti-girl policy to be a threat to women's rights. In addition, these boys will have a difficult time finding

Chinese wives when they become adults.

In general, women are especially victimized in China. Wife beating is common and is probably underreported. Most Chinese, particularly in rural areas, seem to accept that spousal abuse is normal. In recent years, the government seems to have made sincere, if limited, attempts to reduce spousal abuse. These efforts have been largely confined to China's cities, with their richer and better educated population. Women's poor status has led to an unusually high female suicide rate in China. About 500 women commit suicide every day. The suicide rate in China is three times the world average.

Women do not receive equal pay for equal work and have limited access to the better jobs in business and government. Women have become a larger presence in Chinese universities but still make up only about one third of the student population.

Women are also victimized by the sex trade. A large number of poor Chinese women end up working as prostitutes. Government attempts to crack down on prostitution have been compromised by some local officials' complicity in the trade—officials who are supposed to prevent prostitution often take bribes from prostitutes or their managers to allow the practice to continue.

The rights of children are not fully protected in China. Although the law requires all children to get nine years of schooling, in practice children in poor regions may get substantially less; some spend almost no time at all going to school. In rural areas, children are used as farm and factory laborers. Conditions for children are improving, however. In particular, the child death rate has been steadily declining for the past two decades. But some children remain at greater risk. Every year, almost two million children are abandoned by their parents. These children are taken care of in state orphanages, where conditions vary from moderately spartan to life-threatening.

Beyond the oppressive abuses caused by CCP rule, the government's domination by one political party also has had social consequences. While it is true that economic reforms have given more Chinese a chance to succeed in business, a disproportionate share of those who have benefited from the government's economic reforms are members of the Communist Party, particularly relatives of those high up in the hierarchy of power. China, despite its communist rhetoric, is not an egalitarian society. The sons and daughters of party leaders have a much easier time getting access to funding and business contracts and making use of the political favors that make their business success much more likely. While China is getting richer, not everyone is getting richer at the same rate. Chinese economists have estimated that urban city dwellers, those most likely to have party connections, have twelve times the disposable income of rural Chinese.

The foreign reaction to China's human rights abuses has been muted. Western leaders, including U.S. presidents, have criticized China's treatment of its own citizens and have called on the Chinese government to allow more freedom and political rights. However, while they criticize, they also continue to trade with China. The United States, for example, has continued to renew China's most-favored-nation trading status, meaning that China can buy and sell to the United States without restrictions.

This ambivalent approach—vocally criticizing China while quietly profiting from trade deals—is prompted by two parallel motivations. First, no country is eager to offend China, thereby allowing its economic competitors to capture a greater share of

the Chinese market. A China that is getting richer every year is a China that most companies are eager to do business with. Second, some advocates of open trade with China argue that the best of way of making China more democratic is to expose it to Western ideas and values and that trade is the best way to do this. Critics claim that both these reasons are self-serving rationalizations and that it is immoral to ignore the suffering of many Chinese at the hands of their government. While these critics include most reputable human rights groups, it is those who wish to continue to trade with China who are currently controlling government policies around the world. In the near future, it seems unlikely that any economic pressure will be brought to bear on China to change its policies toward the human rights of its citizens.

China does not grant any local human rights groups the legal right to operate freely. Nevertheless, human rights advocates in China are able to informally collect information on human rights and disseminate it to the outside world.

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Colombia

The Republic of Colombia is located in tropical South America, on the Pacific Ocean and the Caribbean Sea. Its territory is bounded by Brazil, Ecuador, Panama, Peru, and Venezuela. The capital city is Santa Fe de Bogota. With 39 million inhabitants, Colombia is the third most populous country in Latin America, after Brazil and Mexico. Colombia's ethnic diversity has its origins in the intermingling of indigenous Indians, Spanish colonists, and African slaves. Unlike other Latin American countries, Colombia has few foreign immigrants. Roman Catholicism constitutes the major religious denomination (95 percent), and Spanish is the official language.

BACKGROUND

Before the first permanent Spanish settlement of 1525, Colombia was inhabited by indigenous Indians who were mainly primitive hunters or nomadic farmers. In 1549, the area officially became a Spanish colony and Santa Fe de Bogota became its capital. The colonial period lasted until July 20, 1810, when the citizens of Bogota created the first representative council to defy Spanish authority and achieved independence. In 1819, the Republic of Greater Colombia was established, including all the territory of the former viceroyalty of New Granada—consisting of Colombia and what is now Venezuela, Ecuador, and Panama—and Simon Bolivar and Francisco de Paula Santander were elected its first president and vice president, respectively.

Since then, Colombian politics have been dominated by the Conservative and the Liberal parties, which grew out of the conflicts between the followers of Bolivar and Santander, and which, in the course of the past two centuries, have held the presidency for roughly equal periods of time. Despite its tradition of civilian government and regular, free elections, Colombia's history has been characterized by a number of military coups—in 1830, 1854, and in 1953–1957—as well as by periods of widespread violent conflict. The two civil wars known as the War of a Thousand Days (1899–1902) and "La Violencia" (late 1940s–1950s) stemmed from rivalry between the Conservative and Liberal parties. A provisional government—

the National Front—under which the Liberal and Conservative parties would govern jointly, was installed in 1957 and ended "La Violencia."

The National Front is known for its accomplishments in terms of social and economic reforms. With major financial backing by the United States, the National Front focused on resolving problems of inflation, unemployment, and inequitable income distribution. After the end of the National Front in 1978, the government made considerable efforts to end the Cuban-backed insurgency that was trying to undermine Colombia's traditional democratic system. In addition to the guerrillas, the government also had to contend with narcotics traffickers, who were responsible for a number of indiscriminate acts of violence. Andres Pastrana—the current president of Colombia since 1998—has expressed his commitment to ending Colombia's long-standing civil conflict as well as to combating illegal drug trafficking.

The national government has separate executive, legislative, and judicial branches. The president is the chief of state and head of government, the legislature is represented by the bicameral Congress, and the judiciary consists of the Supreme Court, the Constitutional Court, and the Council of State. The president is elected for a four-year term and cannot be reelected. Colombia has traditionally played an active role in the United Nations, in the Organization of American States, and in their subsidiary agencies.

Very rich in natural resources—most notably minerals and energy resources—Colombia is considered the most industrially diverse member of the five-nation Andean Community. Its industries include textiles and clothing, leather products, processed foods and beverages, paper and paper products, chemicals and petrochemicals, cement, construction, iron and steel products, and metalworking. The diverse climate and topography of its territory permit the cultivation of a wide variety of crops. In 1997, agriculture accounted for 18 percent of Colombia's gross domestic product (GDP). Colombia is also one of the world's leading suppliers of refined cocaine and a growing supplier of heroin, both of which are channeled to drug markets in the United States. The Colombian drug cartels are among the most sophisticated criminal organizations in the world.

The economic reform program which went into effect during the Gaviria administration (1990–1994) featured major efforts toward economic liberalization and international trade and investment. The resulting economic growth however, has slowed significantly after 1996, under President Ernesto Samper's administration. As of 1998, Colombia's GDP growth rate (2 percent) ranked among the lowest in Latin America. Further, the unemployment rate was at its highest level, and the export sector was in jeopardy as a result of increasing guerrilla violence.

The 1886 Colombian constitution was replaced in 1991. The new constitution has strengthened the administration of justice with the new provision for introducing an accusatorial system (in the Anglo-American style) which is planned to replace the exisiting Napoleonic Code system. The constitution expanded citizens' basic rights, including that of *tutela*, in which individuals can request an immediate court action if they feel that their constitutional rights are being violated and there is no other legal recourse.

HUMAN RIGHTS

Although there have been some improvements over the years, the respect for

human rights is still very poor in Colombia. Internal armed guerrilla conflicts and narcotics trafficking represent the major causes of human rights violations. Government forces continue to commit serious abuses, including political assassinations and other extrajudicial killings. Further, since 1977, an estimated 3,000 cases of forced "disappearances" have been reported to the authorities and very few have been resolved. Although the constitution and criminal law explicitly prohibit torture and degrading treatment and punishment, many incidents of police and military torture and mistreatment of detainees continue to be reported. Security forces often collaborate with paramilitary groups which, throughout the country, commit abuses against civilians suspected of sympathizing with guerrillas.

Prison conditions are generally very harsh. Prisons are usually very overcrowded, and more favorable treatment is usually obtained by means of bribes or intimidation.

Arbitrary arrest and detention, as well as prolonged pretrial detention, represent serious problems due to the inefficiency of the civilian judiciary, which is severely overburdened by a large case backlog, and undermined by intimidation and the prevailing climate of impunity. Less than 3 percent of all crimes committed nationwide are prosecuted successfully. Judges have long been subject to threats and intimidation, particularly when dealing with cases involving members of the armed forces or the paramilitary, narcotics and guerrilla organizations. In order to deal with the impunity problem, the prosecutor general in October 1995 created a special Human Rights Unit as part of the regional courts system. This unit has achieved limited but real results, issuing arrest warrants against members of the public security forces, the paramilitary, and drug trafficking and guerrilla organizations who are alleged to be involved in massacres, extrajudicial killings, kidnappings, and terrorism.

The authorities sometimes infringe on citizens' privacy rights and, although the constitution provides for freedom of the press, journalists regularly practice self-censorship and refrain from publishing stories counter to the interests of paramilitary groups, guerrillas, or narcotics traffickers because of fear caused by threats and intimidation.

The constitution provides for complete religious freedom, and the government usually respects this right in practice. By contrast, extensive societal discrimination against women, minorities, and the indigenous peoples still continue. Rape and other acts of violence against women and children constitute a serious problem, as is child prostitution. Vigilante and paramilitary groups often engage in "social cleansing"—the killing of street children, prostitutes, homosexuals, and others deemed socially undesirable.

Despite significant constitutional and legislative commitments to assist and protect children, to foster their development, and to assure the full exercise of these rights, children's rights are implemented only to a minimal degree. The use of child soldiers by guerrillas and drug gangs is common. Further, both women and children have faced an increased threat of torture and sexual assault because of the endemic violence between drug lords, guerrillas, and government forces.

Despite the special recognition given by the constitution to the fundamental rights of indigenous peoples, many members of indigenous communities continue to be victims of Colombia's internal conflict. Moreover, people of African descent also continue to suffer from discrimination.

The constitution provides citizens with the right to travel freely, both domestically and abroad. However, outsiders who wish to enter Indian tribal reserves must be invited, and safe-conduct passes are required in order to enter areas under the control of either paramilitary forces or guerrillas.

The Colombian constitution provides for freedoms of assembly and of association, and the government respects this right in practice. Workers are usually allowed to organize unions and to strike. However, workers' bargaining power is often limited due to high unemployment, traditional anti-union attitudes, and weak union organization and leadership. In general, inadequate attention from the unions, as well as a lack of public safety awareness and lax enforcement by the Labor Ministry, result in a high level of industrial accidents and unhealthy working conditions.

Slavery and any form of forced or compulsory labor are forbidden by law. However, although the constitution bans child labor, this prohibition is largely ignored in practice, especially in the informal labor sector and in rural areas.

Many non-governmental human rights groups are active in Colombia and the government generally does not interfere directly with their work. However, such groups often work under constant fear of attack from paramilitary or guerrilla forces. Human rights monitors are often subject to surveillance, harassing phone calls, graffiti campaigns, and threats by the military, police, paramilitary, and guerrilla forces.

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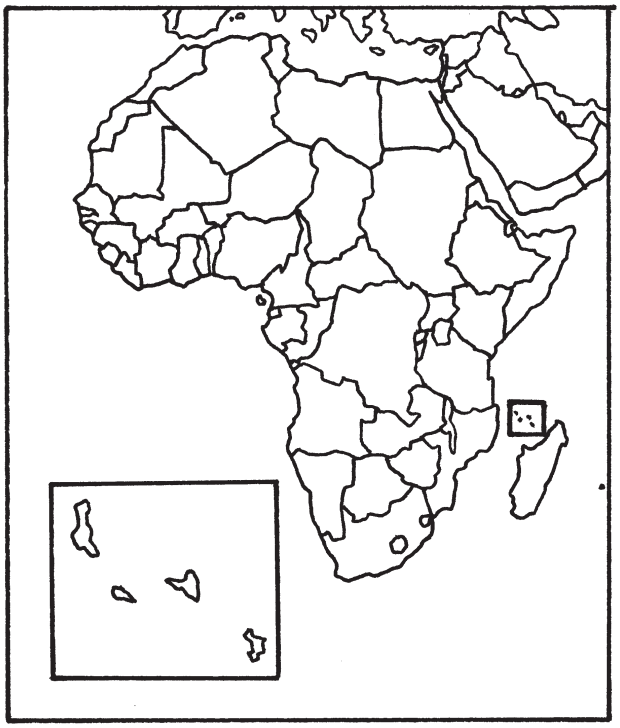
Comoros



The Federal Islamic Republic of the Comoros is a group of islands in the Indian Ocean between Madagascar and the east coast of Africa. Three of them, Grand Comore, Anjouan, and Moheli, form the Republic of Comoros, while the fourth, Mayotte, is governed by France. Moroni is the capital city. Approximately 80 percent of the population is of African Arab origin and lives on Grand Comore, Anjouan, and Moheli. Islam is the dominant religion. A large minority of the citizens living on Mayotte are Catholic and are strongly influenced by the French culture. The Comorians speak Shikomoro, a Swahili dialect. French and Arabic are also spoken.

BACKGROUND

The islands became an overseas territory of France after World War II. In 1961, Comoros was granted political autonomy, and in 1975, independence was achieved. However, France continued to maintain its rule over the island of Mayotte. Since then, a succession of coups and political insurrections has characterized Comoros' history. Democracy is still weak and, in practice, the Comorians have not been able to change their government through peaceful and fair elections.

Since 1997, the inhabitants of Anjouan have had a three-way split in opinion among those who want to return to French colonial administration, those who support independence, and those who favor a looser federation with the islands of Grand Comore and Moheli.

The Comorian constitution provides for the sovereignty of the people and the separation of powers of their elected representatives. The president holds the executive power, while the Federal Assembly holds the legislative power. The judiciary is nominally independent, but in practice the executive and other elites exert a significant influence. The constitution stipulates that all political parties have to win at least two seats per island during the legislative elections in order to be represented in the Federal Assembly.

Local politics is in the hands of traditional village chiefs and Muslim religious leaders, whose social and religious opinions greatly affect Comorian society and economy. Comoros is extremely poor and is one of the least developed countries in the world. Per capita income was approximately $450 per year in 1997. The country relies primarily on foreign assistance from Arab countries, France, and the European Union.

Agriculture dominates its economy, with the export of vanilla, essence of ylang-ylang, and cloves as the main revenue source.

Comoros has been a member of the United Nations since 1975. It is also a member, among others, of the Organization for African Unity, the European Development Fund, and the International Monetary Fund.

HUMAN RIGHTS

The human rights situation in Comoros continues to be precarious. The security forces occasionally use violent means to suppress protest groups. In May 1998, one person was killed and five were seriously wounded during the protests following the government's closure of the opposition party's Radio Tropique. Members of the security forces set a fire at the home of the radio station's owner.

Prison conditions remain poor. Prisons are overcrowded, prisoners lack medical care, and food rations are inadequate. The law does not specify any time limit for pretrial detentions. Detainees often cannot obtain legal representation and they have to rely on paralegal lawyers; in addition, the constitution does not provide for free legal counsel.

The constitution does not grant freedom of the press. Radio Comoros, the national radio station, is controlled by the government. However, independent journals and regional radio stations operate without interference. Foreign newspapers and books are available as well. There are some limitations to academic freedom; there is no university, and public schools are of poor quality.

The constitution does not provide for freedom of assembly and association, but citizens usually enjoy this right in practice. However, following the recent crisis in Anjouran, the government banned all antigovernment demonstrations. The government generally respects the constitutional provisions against discriminations based on sex, race, disability, religion, language, and social status.

However, some problems persist. Comorian society is male dominated, and women are not equally represented in politics or business. Particularly in rural areas, women's traditional roles are tied to child rearing and farming which preclude their opportunities for education and careers. The government does not protect children's rights and welfare. Extreme poverty often forces parents to place their children with other families. Most of these children end up working as domestic servants. There is no legislation mandating accessibility to public buildings or services by the disabled.

The constitution prohibits discrimination based on religion; however, in practice, the government favors the principles of Islam, which affects all aspects of the country's political and cultural life. Since 1996, there has been a ban on immodest dress and alcohol; the latter can be imported and sold only under governmental control.

The government generally cooperates with human rights groups, including international organizations such as the International Committee of the Red Cross. However, members of the Comoros Human Rights Association do not criticize the government for fear of losing their jobs.

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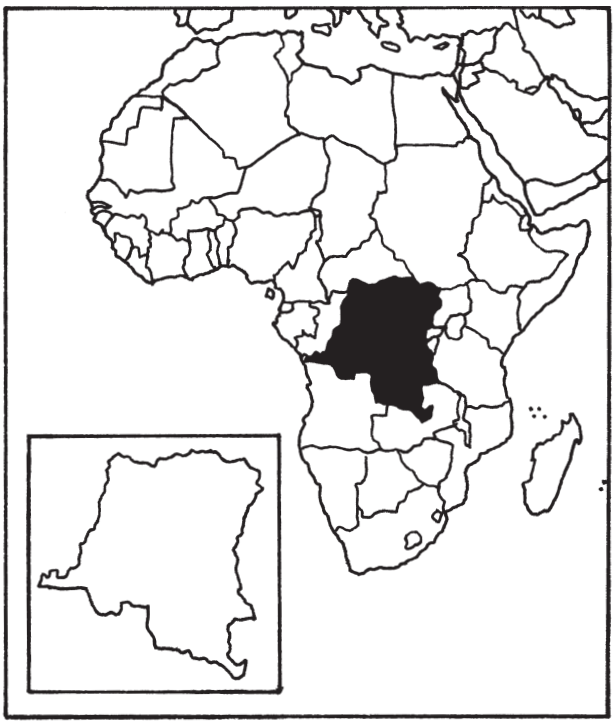
Congo, Democratic Republic



The Democratic Republic of the Congo (DROC) is located in central Africa, northeast of Angola. Commonly known as Congo, as well as Congo-Kinshasa, it should not be confused with Republic of the Congo, commonly called Congo Republic. It gained its independence from Belgium in 1960. It shares borders with the Republic of the Congo, the Central African Republic, Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia, and Angola. It has a population of approximately 50 million, divided between more than 200 separate ethnic groups. Its capital is Kinshasa. The DROC is ruled autocratically by President Laurent Desire Kabila, whose Alliance of Democratic Forces for the Liberation of Congo-Zaire overthrew the authoritarian regime of Mobutu Sese Seko in 1997. The nation, which Mobutu had renamed Zaire, then returned to its original name of the Democratic Republic of the Congo.

BACKGROUND

Since 1994, the DROC has been engulfed in an ethnically fueled civil war that was sparked by a massive inflow of refugees from the fighting in neighboring Rwanda and Burundi. In 1997, Kabila allied with the Rwandan military to force Mobutu from power.

After ousting Mobutu, Kabila tried to expel the Rwandan forces that had assisted him. However, Rwanda desired to maintain a strong military presence in Congolese territory because the Congo had served as a base for Hutu-led insurgency groups, which constituted a threat to the Tutsi-led governments of Rwanda, Burundi, and Uganda. In order to maintain a military presence in the DROC, and to contain the threat of the Hutu guerrilla groups, the governments of Rwanda, Burundi, and Uganda created and militarily supported two separate anti-government organizations: the Congolese Rally for Democracy, and the Movement for the Liberation of the Congo. By the end of 1999, Kabila's government in Kinshasa had lost control of half of the country to these organizations.

The DROC security forces consist of a national police force under the Ministry of the Interior, a National Security Council, the National Intelligence Agency, and the Congolese Armed Forces, which has a security suborganization, the Office for the Military Detection of Subversive Activities.

Because of the war, most sectors of the economy continue to decline. Both the private and public sectors are insolvent, and little or no aid has been granted. Rebel-held areas are increasingly being integrated financially and administratively into the economies of Rwanda and Uganda.

HUMAN RIGHTS

The Kabila government has a poor human rights record. Security forces commit numerous extrajudicial killings. In 1998, the government embarked on a campaign of genocide to eliminate all Tutsis and suspected Tutsis from territories under its control. By the beginning of 1999, these killings had tapered off. Most Tutsis in areas under government control had either fled or gone into hiding. In addition, the Kabila government supported Hutu armed groups and other militias, which also engaged in genocide against Tutsis living in areas held by rebel forces.

Government security forces have also killed many non-combatants. In Kinshasa, on the night of January 6, 1999, members of the Presidential Guard stole a student's personal belongings and then beat him to death, later accusing him of being a member of the rebellion. In February, also in Kinshasa, a soldier shot and killed a civilian who bumped into his table at a bar. On April 17, unidentified soldiers hailed a bus and ordered the driver to take them to Kinshasa's international airport. When the driver explained that he was taking a woman in labor to the hospital, the soldiers shot and killed him, leaving the pregnant women alone in the bus. In November, soldiers broke into a house party and accused those present of making too much noise. One student was whipped to death when he refused an order to go outside and sit on the ground. No disciplinary action was taken in any of these instances. There have been hundreds of substantiated reports of similar events.

There were also many reported cases of disappearances, although in most instances, these were war-related. The bodies of many persons kidnapped and killed extrajudicially in the war were burned, dumped in rivers, or buried in mass graves. The government keeps no record of the identities of the people killed in this manner.

The government often holds suspects without charges. Human rights and religious groups point out that the number of security agencies and detention centers have increased along with the number of arbitrary detentions. Prison conditions are harsh and life-threatening. In many cases, there is no way to survive without the help of family or friends. Guards often steal food brought to prisoners. Many inmates have no access whatsoever to sanitation, potable water, or medical care. There were reports of guards forcing an estimated sixty prisoners into a small cell with barely enough room to stand. Reportedly, these inmates were not given food or water and were forced to urinate and defecate on the floor. Diseases such as tuberculosis are pervasive. Prison guards often rape female inmates.

Citizens are denied the right to a fair trial. The judiciary is ineffective, ill trained, and subject to manipulation by the executive branch. There is no right to appeal, and many defendants lack counsel. Between the months of January and August in 1999, at least 183 people were tried and convicted by military tribunals. Of these, approximately 100 were sentenced to death. Between the months of August and November 1999, that rate sharply increased, as the tribunals sentenced 278 people to death.

By late November 1999, over 142 of these people had already been executed. Many of the alleged offenses were non-violent in nature, including mismanagement of public funds and the private distribution of government-owned commodities such as gasoline. Others were put to death on charges of robbery, inciting mutiny, and looting. The government has occasionally staged public mass executions in stadiums.

Security forces repeatedly raid private homes and businesses, seizing documents and other property and arresting employees. When breaking into private residences, if the suspect was not available, authorities often arrested or beat family members in order to determine the location of the original suspect. In July 1999, soldiers entered the home of a civilian without a warrant, seeking to arrest him for unknown reasons. Upon finding that he was not home, the soldiers stole money and arrested his pregnant wife and sister, who were held hostage until he appeared. There have been reports that soldiers have raped women during similar raids.

The government is believed to monitor telephone communications.

Freedom of speech and freedom of the press are increasingly curtailed under Kabila's administration. Journalists and reporters are routinely harassed and intimidated; over eighty were arrested during 1999. Because of widespread illiteracy and the rising cost of newspapers, radio remains the primary source of news for citizens. There are six radio stations in Kinshasa. Under Mobutu, all the radio stations were government owned. Upon coming to power, Kabila lifted this restriction, although two radio stations are still under government control. Opposition parties are prevented from gaining access to radio stations, and private radio is demonstrably less critical of the government than are private newspapers.

There are two domestic Internet service providers, but because of high costs and low availability, the Internet is not widely used. The government restricts academic freedom. Fearful of reprisal, professors at universities practice self-censorship in their lectures. Some professors have been arrested and tortured.

There is no right to freedom of assembly. In September, students at Kinshasa University planned a demonstration in support of striking faculty but were stopped by the police. Kabila threatened to shut down the university indefinitely and expel its 28,000 students, but the unrest subsided and the crisis was averted. There is no legal protection for the right of freedom of association. Although political parties themselves are legal, political activities are banned and participants are subject to arrest.

Freedom of religion is legally recognized and generally respected in practice. Although the government promulgated a decree that forces all non-governmental organizations, including religious organizations, to meet certain requirements, this decree was not enforced and most foreign missionaries have been allowed to evangelize with minimum intervention. There have been no reports of the government banning or dissolving any religious group.

Freedom of movement is severely restricted. Travel is dangerous due to roving bands of soldiers and thieves. Roadblocks are often used to extort money from travelers. In Kinshasa, a nighttime curfew is enforced. In rebel-controlled territories there is substantially more freedom of movement, but it is almost impossible to cross from one zone to the other.

Domestic violence against women, including rape, is common. Although rape is

considered a crime, it is rarely punished by criminal proceedings and it is not considered a significant offense by either the authorities or the media. Women are relegated to second-class citizenship. They serve as field laborers and domestics, and bear sole responsibility for child rearing. They receive less education and are required to seek their husbands' permission before entering into legally binding contracts. Women are able to inherit their husbands' property and receive a settlement in divorce. However, in practice, they are often denied these rights. Female genital mutilation is still practiced in isolated areas in the north. The government has not addressed this issue.

There is almost no government spending on children. Primary school education is not compulsory, free, or in some cases, even available. Parents are expected to pay schoolteachers' salaries, with the result that education only exists where parents have formed a local cooperative. As the country's economic prospects darken, fewer parents have the money to educate their children. Some children as young as age ten serve in the armed forces.

During 1999, Kabila's administration grew increasingly hostile to human rights groups and non-governmental organizations seeking to operate within the country. There are numerous active domestic human rights organizations, although they are frequently harassed and detained. The government has not conducted any investigations into the greatest recent human rights violation of all in the Congo: the mass killing of Tutsis within DROC borders. United Nations' requests to release political prisoners and end capital punishment have gone unheeded.

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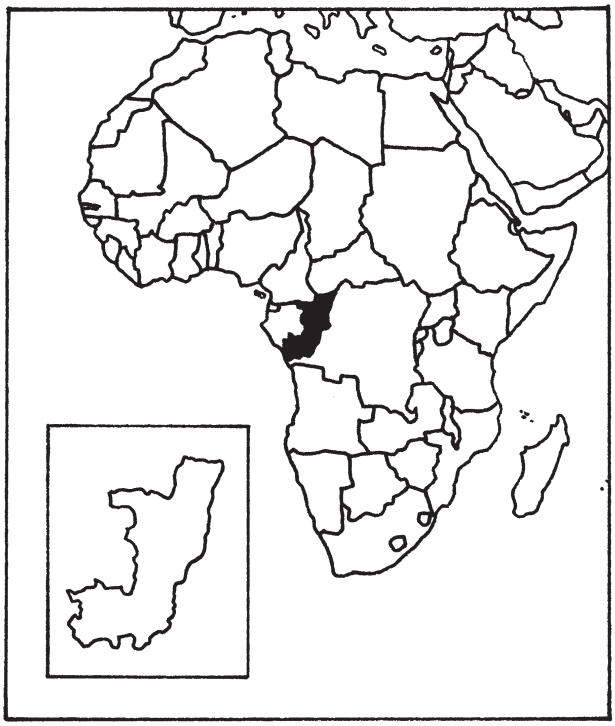
Congo, Republic of the



The Republic of the Congo, also called Congo-Brazzaville, is a country in West Africa. It should not be confused with the Democratic Republic of the Congo (formerly Zaire), now commonly called Congo or Congo-Kinshasa. The Republic of the Congo borders the Atlantic Ocean, and is located between Angola and Gabon. Brazzaville is the capital city. The population of approximately 3 million includes four major ethnic groups speaking different primary languages. The largest ethnic group is the Kongo, who represent almost half of the country's population. Before the civil war in 1997, approximately 8,500 Europeans, mostly French, were residing in the country. After the destruction of foreign businesses during the war, many fled the country. About 50 percent of the population is Christian. The remainder practice traditional indigenous religions or Islam.

BACKGROUND

Originally a French colony, Congo achieved independence in 1960. In 1964, it became a one-party state and, in 1967, following a military coup it became a Marxist state. One-party rule lasted until 1992, when President Pascal Lissouba was elected. In 1997, a civil war broke out between President Lissouba's forces and forces supporting Denis Sassou-Nguesso, a northerner belonging to the minority Mbochi ethnic group who served as a president during the period of one-party rule. In October 1997, Sassou-Nguesso prevailed. He established a transitional government, replacing the 1992 constitution with a new Fundamental Act. It is estimated that at least 8,500 Congolese, primarily from the southern regions, fled the country to the Democratic Republic of the Congo between October and December 1998.

The government is led by a strong president who is vested with regulatory powers and the power to appoint all military, executive, and judicial officials. Legislative authority resides in the national transitional council, which replaced the bicameral Parliament after the civil war and is dominated by allies of the government.

Since 1997, civil unrest has been widespread, resulting in thousands of displaced persons and deaths. The economy has also been seriously affected by the civil war. The oil industry remains the primary export and source of revenue. In addition, the country

receives financial assistance from international organizations. Widespread corruption and the high priority given to defense and security investment has created extreme poverty among the population and impedes further economic growth.

HUMAN RIGHTS

The Republic of the Congo's human rights record is poor. Citizens do not have the right to change their government until a new constitution is approved. A lack of fair representation by various political parties in the legislative body further compromises the exercise of political rights by citizens. The security forces, including former members of progovernment militias and armed forces from Angola, Chad, and other neighboring countries supporting the government, have committed serious human rights abuses. There have been reports of extrajudicial killings, summary executions, disappearances, rape, and other violent acts against rebels and civilians.

Security forces also use arbitrary arrest, detention, torture, and other degrading treatment against prisoners. There are fewer than 100 political prisoners held in detention centers. Prison conditions are harsh, often life threatening. Overcrowding, lack of sanitation, lack of medical care, and inadequate nutrition are major problems.

The judiciary is subject to corruption and executive pressure. In addition, a backlog of cases, untrained personnel, and a lack of resources effectively deny citizens the right to fair and timely trials. Traditional courts handle local disputes. In recent years, the phenomenon of mob violence by vigilantes who render justice against presumed criminals, has been increasing.

Security forces reportedly infringe on the citizens' right to privacy by illegally entering, searching, and looting private homes. It is also generally believed that authorities monitor mail and telephone conversations. The Fundamental Act provides for freedom of speech and the press. However, the central government maintains a monopoly on the broadcast media and no political views are aired except those supporting governmental polices. There is no state-owned newspaper, and private newspapers occasionally are critical of the government. However, print media are limited in their circulation. The provisional government generally respects freedom of assembly and association. Political parties, workers' unions, and other groups are free to form, provided they respect and cooperate with authorities.

The Fundamental Act condemns discrimination based on race, sex, religion, language, or social status. However, traditional practices still discriminate against women in employment and education, particularly in rural areas. Women continue to be underrepresented in government and politics. Illiteracy among women is higher than among the male population. Violence against women, particularly domestic violence, is widespread, although it often goes unreported.

The welfare of children is generally not respected. There are a conspicuous number of street children in the capital. Laws regarding child labor and compulsory education are not effectively enforced. Although the law protects against discrimination based on disability in education and employment, in reality the government is unable to enforce those provisions due to financial constraints. The law does not mandate accessibility to public buildings for the disabled.

Ethnic discrimination is practiced widely by all ethnic groups. Tensions are especial-

ly evident between the ethnic groups of the more prosperous southern region and those ethnic groups living in the less-developed north. Additionally, discrimination is reported against the indigenous Pygmies, who number in the tens of thousands and live primarily in the northern forest regions. They are considered socially inferior and are therefore denied equal treatment in employment, education, or health care within the predominantly Bantu society.

Workers' rights are not enforced. The observance of safety and health regulations by employers is often lax. The law forbids forced or compulsory labor, including child labor, but such practices are known to occur. Citizens are restricted in their movement within the country by military checkpoints, especially at night and in areas of insecurity. Security forces reportedly extort bribes from travelers.

The Republic of the Congo has shown its commitment to abide by international laws regarding the right to asylum and refugee status. The government has sought the cooperation of the United Nations High Commissioner for Refugees in assisting Rwandans, Angolans, and other ethnic groups who flee from their countries.

There are several domestic human rights organizations operating in the country with minimal restrictions. They publish reports denouncing serious violations of human rights. Occasionally, members of human rights groups have been threatened by the authorities. International human rights organizations, including Amnesty International and the International Federation of Human Rights Leagues, are free to visit the country and collaborate with local human rights and other non-governmental organizations.

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Costa Rica

The Republic of Costa Rica is situated in Central America. It is bounded on the north by Nicaragua, on the southeast by Panama, on the east by the Caribbean Sea, and on the west by the Pacific Ocean. San Jose is the capital city. Costa Rica has a population of approximately 3.3 million. Costa Ricans are mostly of European descent, particularly from Spain, and are Spanish speaking, with indigenous peoples comprising 1 percent of the population. In addition, descendants of nineteenth-century Jamaican immigrants constitute an English-speaking minority. Most of the population (95 percent) is Roman Catholic; much of the remainder is Evangelical Protestant.

BACKGROUND

A Spanish colony since 1522, Costa Rica achieved independence in 1821 in a joint effort with other Central American provinces. In 1838, after withdrawing from the Central American Federation, Costa Rica became a sovereign state. The first democratic elections were held in 1899. Federico Tinoco established a dictatorship in 1917 that lasted until 1919. Democracy was restored until 1948, when Jose Figueres organized a military rebellion during a disputed presidential election. A new constitution was adopted, providing for universal suffrage and the abolition of the army. Since then, political stability and peaceful democracy have characterized Costa Rica.

The constitution provides for the division of powers. The president, as the head of government and chief of state, two vice-presidents, and the cabinet make up the executive branch. A unicameral assembly elected every four years comprises the legislature. The Supreme Court of Justice comprises the independent judiciary and is elected by the legislative assembly. The Ministry of Public Security includes the Border Guard, the Rural Guard, and the Civil Guard.

Costa Rica remains an active member of the international community. It has been a strong proponent of human rights and peaceful negotiations to support democracy in Central America countries, such as in Nicaragua and El Salvador, as well as elsewhere in the world. Costa Rica broke rela-

tions with Cuba in 1961 to protest Cuban support of leftist subversion in Central America; since then Costa Rica has not had a diplomatic relationship with Cuba. In 1995, Costa Rica established a migration office in Cuba.

Costa Rica has supported the United States' efforts to implement United Nations Security Council Resolution 940, which was issued in 1994, supporting reestablishment of a democratically elected government in Haiti.

Costa Rica's economy is based primarily on agriculture, commerce, and tourism. Industry activity is growing, thanks mainly to financial assistance from the United States, and as of 1998 reached 22 percent of GDP. Foreign trade takes place mainly with the United States (42 percent), and Europe (32 percent). Per capita income reached $2,900 in 1997.

HUMAN RIGHTS

Costa Rica was the first country to recognize the UN High Commission for Human Rights and the Inter-American Human Rights Court. Costa Rica proclaimed its neutrality in 1995, but remains one the most active members in the international community. Various human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views. The Costa Rican Commission for Human Rights, the Commission for the Defense of Human Rights in Central America, and the Family

An overseer supervises a migrant farm worker.

and Friends of Political Prisoners of Costa Rica monitor and report on human rights, as does an ombudsman's office.

Several international organizations concerned with human rights are located in San Jose, including the Inter-American Institute for Human Rights and the Inter-American Court of Human Rights.

The Costa Rican constitution grants human rights and freedom to its citizens. As a result, the government generally respects the human rights of its citizens, and the law and judiciary have the means of dealing with any abuse in this area. However, lengthy pretrial detention and delays by the judiciary remain a problem in Costa Rica. Although the police respect the rights of the citizens, there were some cases of abuses in the past. In August 1999, there were six reports of police misconduct and the ombudsman's office is still investigating those complaints.

Prisoners receive humane treatment. However, prison overcrowding is a problem in Costa Rica, with the prison population at 67 percent above planned capacity. The government permits prison visits by independent human rights monitors.

The constitution provides for the right to a fair trial, and an independent judiciary vigorously enforces this right. However, persons accused of serious offenses, who are held without bail, sometimes remain in pretrial custody for long periods of time. Lengthy legal procedures, numerous appeals, and large numbers of detainees cause delays and case backlogs. There were 802 accused persons jailed awaiting trial as of March 31, 1998, representing 17 percent of the total prison population.

There are nine major privately owned newspapers, several weekly and monthly periodicals, twenty privately owned television stations, and more than seventy privately owned radio stations, all of which pursue independent editorial policies. While the media in general freely criticize the government, there were unconfirmed allegations that the government withheld advertising from some publications in order to influence or limit reporting. In 1996, the legislative assembly passed a "right of response" law that provides persons criticized in the media with an opportunity to reply with equal attention and at equal length.

The constitution establishes Roman Catholicism as the state religion, but people of all denominations freely practice their religion without government interference. Religious education teachers, including those in public schools, must be certified by the Roman Catholic Episcopal Conference.

Costa Rica is famous for granting asylum, especially to citizens of other South American countries. In 1998, only one application was refused. The government cooperates with the office of the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The constitution specifically prohibits repatriation of anyone subject to potential persecution, and there were no reports of forced expulsion of persons to a country where they feared persecution.

Abuse of women and children is a serious problem in Costa Rica. However, the government has dedicated itself to solving this problem. A law against domestic violence that classified certain acts as criminal was passed. However, reports of the abuse of women and children have increased in recent years. While women are active in all areas of life, including business and government, they often receive smaller salaries than their male counterparts. The government is committed to children's rights and welfare through well-funded systems of public education and medical care.

The Equal Opportunity for Persons with Disabilities Law prohibits discrimination, provides for health care services, and mandates access to buildings for persons with disabilities. This law is not widely enforced, however, and many buildings remain inaccessible to persons with disabilities.

The law specifies the right of workers to join unions of their choosing without prior authorization, although barriers exist in practice. About 15 percent of the workforce is unionized, almost entirely in the public sector. Unions are independent of government control.

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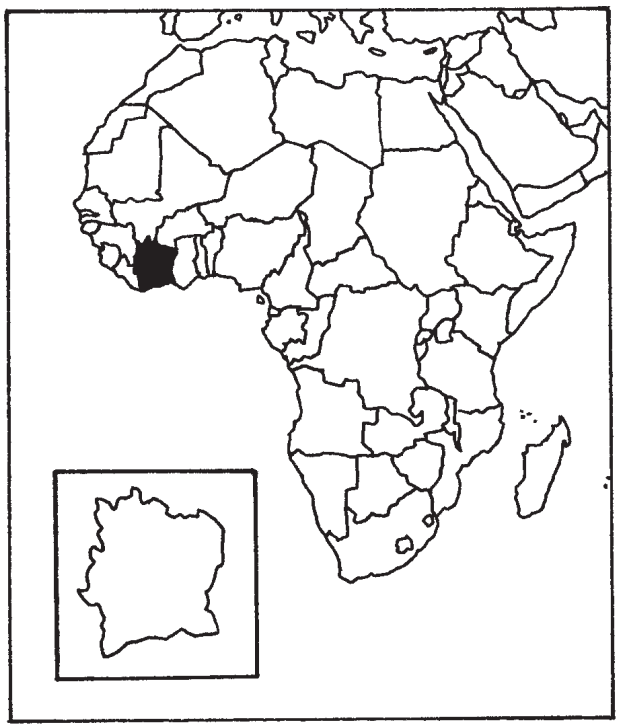
Cote d'Ivoire (Ivory Coast)



Côte d'Ivoire is situated in West Africa. It is bounded on the north by Mali and Burkina Faso; on the east by Ghana; on the south by the Gulf of Guinea; and on the west by Liberia and Guinea. Although Yamoussoukro is the capital city, Abidjan remains the administrative center and the location of most embassies. Côte d'Ivoire has an ethnically mixed population of approximately 15.8 million. The main groups are Baoule (23 percent), Senoufou (15 percent), Malinke (11 percent), Africans from other countries (20 percent) and non-Africans (2 percent, mainly French and Lebanese). About 60 percent of the population is Muslim. The remainder are Christian (22 percent) or practice indigenous beliefs (18 percent). French is the official language, but numerous native dialects are widely spoken as well.

BACKGROUND

Côte d'Ivoire is a republic with a strong presidency. A former French colony, Côte d'Ivoire achieved independence in August 1960, when a multiparty presidential regime was established. However, the Democratic Party of Côte d'Ivoire (PDCI) has dominated the political scene since independence.

President Henri Konan Bedie has been the chief of state since December 1993, following the death of former president Félix Houphouet-Boigny, who had served since November 1960. He was reelected in 1995, with 96 percent of the vote. Both the presidential and the legislative elections held in 1995 were marred by serious irregularities.

The economy depends largely on agriculture and related activities, engaging 68 percent of the population. Coffee, cocoa, and palm oil are the main exports. Widespread corruption and mismanagement contribute to the uneven distribution of wealth and to the lack of health services and education. The government relies heavily on support from international financial institutions.

HUMAN RIGHTS

The country's human rights record is poor in several areas. The right of citizens' to change their government is limited in practice. Almost half of the population do not have identification cards, which are necessary to vote. Although opposition parties have been legal since 1990, in reality the ruling PDCI has always controlled both the presidency and the National Assembly. In

A polling station during Côte d'Ivoire's October 1990 elections.

1998, the latter enacted amendments to the constitution to further increase the power of the presidency. The major opposition parties protested against these amendments and large street demonstrations were organized throughout the country. The opposition parties also have repeatedly called for the establishment of an independent electoral commission to supervise elections.

The security forces, including the Special Anticrime Police Brigade (SAVAC), have been responsible for serious human rights abuses. There have been numerous reports of the excessive use of force by the police, including extrajudicial killings. Police often use violence against demonstrators and the government has rarely pursued the perpetrators.

Neither the constitution nor the penal code protects prisoners in custody against torture or other degrading treatment. Police often beat and torture prisoners or detainees, either during interrogation or as punishment. There are no known reports of governmental officials being tried for these abuses.

Prison conditions are extremely poor. Prisoners die while in custody from many causes, including malnutrition; overcrowding; infectious diseases; lack of sanitation and medical care; and physical abuse. Women give birth in prison without medical attention and often engage in sex-

ual relations with prison guards in exchange for food or other privileges. Although prohibited by law, access to some prisoners is restricted. However, humanitarian non-governmental organizations, including the International Committee for the Red Cross, have had increasing access to prisons in the past few years, and provide basic necessities to prisoners.

Government authorities arbitrarily arrest and detain citizens, and there is no right to a judicial determination of the legality of a defendant's detention. Judges serve at the pleasure of the government and thus are subject to political pressure. The right to a public trial is sometimes denied. No free legal counsel is available.

The government infringes on citizens' right to privacy, including the monitoring of private correspondence and telephone conversations. Police often conduct searches without warrants. There are restrictions on freedom of speech and the press. The private press often criticizes the government, while the government-owned press rarely offers opinions contrary to the government policies. Journalists also practice self-censorship. The government prosecutes under criminal libel law anyone who attacks the honor of the country's highest officials. The government maintains a monopoly over television and radio broadcasts.

Freedom of assembly and association are generally respected. However, occasionally the police violently intervene to break up or suppress public demonstrations organized to protest government policies.

Women are discriminated against in education and employment, and, in general, occupy a subordinate role in society. They are underrepresented in government, in politics and in the management of business. Violence against women, including domestic abuse, is widespread. Women's advocacy groups have protested the indifference shown by the authorities toward female victims of violence. Although it is considered a crime, female genital mutilation continues to be widely practiced, especially in rural areas.

The welfare of children is often neglected. Most children leave school earlier than prescribed by law. There have been credible reports showing that a substantial percentage of females drop out of primary and secondary school because of pregnancy. Some children go to work on family farms or are employed as domestic help in urban areas. Many end up in the city streets as vendors, shoe shiners, or car window washers. The number of street children in the cities has become an increasing focus of government attention. Children are reportedly harassed and sexually abused by pedophiles. Child labor, including forced or bonded labor, is prohibited by law. However, children are sometimes employed in informal sectors of the economy. There also have been reports that hundreds of Malian children were sold into forced labor on Ivoirian plantations.

Societal discrimination based on ethnicity is widespread. Members of the Baoule group dominate the government and hold the majority of positions in the public sector. African non-citizens are reportedly victims of harassment and violence by the police. Worker's rights are generally given legal protection; in reality, however, health and safety regulations are often not enforced.

The constitution does not officially provide for freedom of movement within the country or abroad, but the government does not restrict these rights in practice. However, police and security forces erect checkpoints on major routes and occa-

sionally extort money from travelers.

The government generally cooperates with the United Nations High Commissioner for Refugees in assisting refugee and asylum seekers. It also cooperates with domestic and international human rights organizations in inquiries regarding human rights violations.

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Croatia

The Republic of Croatia is a country in southeastern Europe, bordering the Adriatic Sea between Bosnia and Herzegovina and Slovenia. Zagreb is the capital city. The country's population of approximately 4.6 million includes Croats (78 percent), Serbs (12 percent), Muslims (0.9 percent), Hungarians (0.5 percent), Slovenians (0.5 percent), and others. Croatian is the official language. Most of the population is Catholic (77 percent), with most of the remainder being Orthodox Christian (11 percent) or Muslim (1 percent).

BACKGROUND

Croatia was part of the Austro-Hungarian Empire, until the collapse of Austria-Hungary in 1918. In October 1918, Croatia proclaimed its independence and joined Montenegro, Serbia, and Slovenia to form the Kingdom of Serbs, Croats, and Slovenes. With the end of World War II, Croatia became part of the Federal Republic of Yugoslavia, a newly reestablished communist nation headed by Marshal Tito. With the death of Tito in 1980, the already difficult political and economic situation steadily worsened. In June 1990, the Croatian Democratic Union (HDZ), supporting nationalism, anticommunism, and privatization, won the first postwar elections. In June 1991, the Croatian Parliament passed a declaration of independence from Yugoslavia. A six-month war against local Serb militias backed by the Serb-dominated Yugoslavian army followed.

A UN cease-fire was arranged in January 1992, and peacekeeping forces were sent to monitor the cease-fire and protect the minority Serbs in Croatia. In a 1993 referendum, the Serb-occupied portion of Croatia (Krajina) voted for integration with Serbs in Bosnia and Serbia. Although the Zagreb government and representatives of Krajina signed a cease-fire in March 1994, further negotiations broke down when Croatia fought to regain lost territory. In August 1995, the central Croatian region of Krajina was recaptured and thousands of Serbs fled the region.

Croatia is formally a constitutional parliamentary democracy. However, President Franjo Tudjman and the Croatian Democratic Party dominated the political scene since independence, establishing an authoritarian rule. The government controlled all media and the judiciary, and limited op-

position parties in the political process. The government restricted freedom of speech, freedom of the press, and freedom of assembly and association by manipulating the laws and by using harassment as a means of intimidation against government opponents. In December 1999, Tudjman died, and in January 2000, the HDZ lost the parliamentary elections to an opposition coalition. The president of Croatia is the head of state and commander-in-chief of the armed forces. The presidency is strong, with an extensive veto power; it may issue decrees with the force of law. The Croatian legislature is a bicameral body. The judiciary is nominally independent.

The country is still proceeding slowly toward a market-based economy. Industry and media enterprises are still largely controlled by the State. The unemployment rate has increased and the standard of living of most of the population has worsened as a result of the protracted war.

HUMAN RIGHTS

The government's human rights record has improved in some areas, but remains poor in others. The government's ability to impartially prosecute crimes committed by both sides during the 1991–1995 conflict remains questionable. It has been reluctant to cooperate with the International Criminal Tribunal for the former Yugoslavia (ITCY) for war crimes associated with the Croatian army operations. There are still thousands of missing persons and there has been progress on the exhumation of bodies at a number of sites. However, efforts to identify the bodies of ethnic Serbs continue to be hampered by political and bureaucratic obstacles.

The police continue to commit human rights abuses, particularly the harassment, mistreatment, and beating of minorities. In addition, police investigations are not always conducted thoroughly when the victim of a crime is an ethnic Serb. The authorities do not always respect constitutional provisions regarding arrest and detention. Persons who are held under investigation may be denied the right to an attorney. Moreover, there have been reports of numerous cases of pretrial detentions, particularly of ethnic Serbs who are being held for acts related to the 1991–1995 conflict.

The government does not ensure citizens the right to a fair trial. The judiciary suffers from political influence and the court system has a backlog of over 1 million cases. In addition, judicial decisions often favor ethnic Croats in issues related to property claims made by returning refugees or displaced persons. Prisons are crowded, although they meet minimum international standards.

The government has controlled and censored much of the print and electronic media. The independent press has been the victim of several attacks by the government in the past several years, including lawsuits against and arrests of journalists and editors on libel charges. However, both public and private radio and television stations exist. Foreign newspapers and journals are also available.

A 1997 Law on Associations gives the government the power to prevent an association from forming or to monitor all aspects of an association once it is founded. However, there were no reports of the authorities abusing this law against associations.

Although the constitution prohibits discrimination based on gender, women continue to face discrimination in employment and salary. They generally hold lower-paying positions and are not guaranteed long-term work contracts. In addition, they

remain underrepresented in government and politics. Moreover, violence against women, including sexual harassment and domestic violence, is widespread. Anecdotal evidence suggests that some women are exploited through forced prostitution.

The government has also failed to meet its commitment to foster ethnic reconciliation between Croats and Serbs. It does not protect Serbs, Muslims, and other ethnic minorities against patterns of discrimination in the administration of justice, employment, housing, education, freedom of movement, and citizenship. No minority group has achieved proportional representation in Parliament.

Ethnicity and religion are closely related to each other. Therefore, ethnic tensions are often accompanied by violent attacks on religious institutions. There have been several reports of the defacement of Serbian (Orthodox) cemeteries. Some ethnically motivated killings have been reported as well. Various forms of harassment, including property destruction, forcible evictions, and assaults, commonly occur between home occupiers of one ethnicity and returning homeowners of another. In particular, a large number of ethnic Serbs, who escaped and lost their dwellings during the war, are unable to return to or to regain their property because of a lack of government will to evict ethnic Croat occupiers. They also face numerous obstacles to obtaining financial and health benefits, to which all returnees are entitled by law.

The government allows freedom of movement within the country, foreign travel, emigration, and repatriation, except in a few circumstances for security reasons. It generally cooperates with the United Nations High Commissioner for Refugees and other human rights organizations in assisting refugee and asylum seekers. With the refugee crisis in Kosovo, the government accepted up to 5,000 Kosovar refugees. However, there were reports that the authorities occasionally refused to grant asylum status to Kosovar Albanians, and that some of them were expelled to Bosnia and Herzegovina.

Within the country, there is still a significant number of displaced persons and refugees who are not under the government's care. The government is proceeding very slowly to verify and legalize the citizenship of hundreds of thousands of ethnic Serbs who fled the country after the military actions in 1995 and who wish to return to Croatia.

Local and international human rights organizations are free to operate in the country. The government-appointed ombudsman meets regularly with human rights representatives and addresses cases brought to his attention. In the past, however, the government's response to problems raised by both the ombudsman and by non-government organizations has not been fully satisfactory.

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Cuba

The Republic of Cuba is an island country in the Caribbean Sea, situated off the south coast of Florida and east of Mexico. Havana is the capital city. Its population of approximately 11 million is mainly of Spanish and African origins. Santeria, a blend of native African religion and Roman Catholicism, is the most practiced religion. However, Roman Catholicism remains the most organized religious denomination.

BACKGROUND

A former Spanish colony, Cuba gained independence in 1902 after the United States won the Spanish-American War. The United States, however, retained the right to intervene to preserve Cuba's stability. Cuba's history was characterized by a succession of military rulers. In 1959, Fulgencia Batista's oppressive regime was overthrown by Fidel Castro, who, in 1961, declared Cuba a socialist state. For the next thirty years, Castro consolidated his power by pursuing strong relations with the Soviet Union. Cuba received substantial Soviet military and economic assistance, which ended in 1991 with the the demise of the Soviet Union. By 1993, all Soviet military forces withdrew from Cuba.

Cuba is a totalitarian state controlled by the Communist Party and its affiliated mass organizations, including the government bureaucracy and the state security apparatus. Fidel Castro is the chief of state, head of government, first secretary of the Cuban Communist Party (PCC), and commander-in-chief of the armed forces. The Ministry of Interior is the most important organ of state security and control. The ministry's Department of State Security has the function, among others, to suppress organized opposition and dissent. Fidel Castro is president of the Council of State, the organ vested with all executive and administrative power; Raul Castro, Fidel's brother, is its first vice president. The National Assembly holds the country's legislative power. The judiciary is subordinated to the National Assembly and to the Council of State. The People's Supreme Court is the highest judicial authority. In practice, Cuba is completely under the control of Fidel Castro.

Cuba's economy is organized under Marxist-Leninist precepts. The government has the monopoly of most means of production and employs about 75 percent of

the population. Tourism is the largest sector of the Cuban economy, although sugar remains an important part of the economy. In the 1990s, after a period of economic decline following the loss of Soviet subsidies, the Cuban government launched an economic program to attract foreign tourism and investment. Investments have come from Canada, Italy, the United Kingdom, Mexico, Spain, and France. The failure to launch serious economic reforms has resulted in the development of a large black market and growing corruption.

In general, investors are constrained by the 1996 U.S. Cuban Liberty and Democratic Solidarity Act, also known as the Libertad, or Helms-Burton Act. The act codifies and tightens enforcement of the U.S. economic embargo; it provides sanctions against those who traffic in property expropriated from U.S. citizens; it states U.S. policy toward a transition or democratic government in Cuba; and it requires the U.S. executive branch to deny visas to, and exclude from the United States, any foreign nationals determined to have confiscated or trafficked in confiscated property claimed by a U.S. citizen.

HUMAN RIGHTS

Human rights reports continue to be poor. The government is responsible for the violation of fundamental civil and political rights of its citizens. The constitution states that all legally recognized liberties can be denied if the person opposes the "decision of the Cuban people to build socialism."

Cubans do not have the legal right to change their government peacefully through free and fair elections. The Communist Party is the only political organization legally recognized by the government and allowed to participate in the national elections. The twenty-four members of the central party's Politburo and the 149 members of the Central Committee together include most of the country's military and civilian leaders. The constitution provides for direct elections of provincial, municipal, and National Assembly members. However, the government controls the selections and approves candidates through mass organizations, such as the Confederation of Cuban Workers and the Committees for the Defense of the Revolution (CDRs). No opposition candidates have ever been able to run for election. The party monopolizes all government positions, including judicial offices. Communist Party membership is a prerequisite to holding an official position.

In 1996, President Castro signed the Declaration of Vina del Mar at the VI Ibero-American Summit, in which he stated that his government was committed to democracy and political pluralism. However, the last national elections, held in January 1998, demonstrated that the government continues to support the one-party structure.

The national police continue to commit human rights abuses. There were reports of abusive treatment of detainees, prisoners, pro-democracy activists, and human rights advocates who are in custody, in the form of harassment, beating, and torture. In some cases, people died because of excessive use of force by the police and prison guards. The government took little or no action to investigate and convict the perpetrators of those crimes.

The government also continues to arbitrarily arrest and detain independent journalists, human rights activists, and demonstrators. They are usually subject to degrading treatment, physical violence, repeated interrogations, and psychological intimidation to extract confessions. In addition, they are eventually imprisoned

with violent criminals, and thus subjected to further abuse.

Prison conditions are very harsh. Prison officials deny prisoners basic rights, such as family visitation, adequate nutrition, medical attention, and the right of correspondence. The government does not allow domestic and international human rights organizations access to prisons. It has been estimated that 1,600 political prisoners are in custody on charges such as spreading enemy propaganda, illicit association, rebellion, and contempt for the government. They are forced to comply with the rules for common criminals. Exile is also used to control internal opposition.

The judicial courts are subordinate to the Communist Party, which is constitutionally designated as the superior organ of the society and the state. Trials do not meet international standards and do not grant fair due process, especially in cases involving political offenses. There are no jury trials. Trials are closed to the public in political cases in which the state security is allegedly involved. Legal counsel is often denied to the accused.

The government regularly uses articles included in the penal code to threaten prosecution against suspected criminals and political opposition activists. They may be subjected to therapy or political reeducation when they are considered dangerous to the state. The government also encourages members of state-controlled mass organizations and civilians to publicly repudiate, physically attack, protest, and report against those who are dissident against government policies. Those who refuse to participate in these activities may be subject to disciplinary action and may lose their jobs.

The state interferes with privacy, family, home, and correspondence. The interior

Cuban refugees prepare to escape to Florida.

ministry exercises repressive social control through an intricate system of informants and block committees (the CDRs) that report on suspicious activities. People are afraid to speak openly, even in the privacy of their own homes. International correspondence and overseas calls are carefully monitored. The authorities regularly conduct searches without warrants.

The government does not allow freedom of speech or freedom of the press. All print and electronic media are state property controlled by Communist Party. The law forbids any criticism of the revolution and its leaders. The media is used as a means to indoctrinate the public and must reflect government views. Foreign newspapers and magazines are restricted. The government imposes censorship of news and information. Independent journalists and visiting international correspondents are subject to surveillance, internal travel bans, seizure of written material, confiscation of computer and photographic equipment, periodic detention, harassment of family members, and threat of imprisonment. Many have been expelled from the country.

The distribution of information is highly monitored and subject to restrictions. Among what is considered enemy propaganda and false news, the government includes international reports on human rights violations. The government does not allow diplomatic missions in Havana to print or distribute publications without prior government approval. The Cuban Dignity and Sovereignty Law prohibits citizens from providing or seeking information from any representative of the U.S. government. Internet access is limited to certain government officers and foreigners.

The government restricts academic, artistic, and literary freedom. The educational system supports the state's ideology in content and in practice. Teachers are required to evaluate the students' character, and file reports that affect the students' future educational and career opportunities. Universities are available only to those who share Castro's revolutionary beliefs.

Citizens are denied their rights of peaceful assembly and free association. All legally recognized associations are affiliated or controlled by the government. The law punishes unauthorized meetings and is used to harass or arrest members of human rights organizations and other groups. Consequently, domestic human rights groups function illegally, and the government refuses to consider applications for their legal recognition. In addition, the government does not allow international human rights monitoring, including visits of the United Nations Special Reporter for Human Rights.

Labor organizations are under the control of the state and the Communist Party. Their function is to ensure that governmental goals are met; they do not act as trade unions for promotion of individual workers' rights. Strikes and independent unions are prohibited. Workers can lose their jobs for their political beliefs or for refusing to join the official union.

Freedom of religion is severely restricted. Cuba has been an atheist state for most of the Castro era. However, a constitutional amendment adopted in 1992 changed Cuba into a secular state, enabling religious believers to belong to the Cuban Communist Party, which had been prohibited.

All churches and religious groups are required to register to obtain official recognition. Members of the armed forces and their families are not allowed to observe religious practices, which are considered dangerous to the revolution's ideology. In January 1998, Pope John Paul II was allowed to visit Cuba and celebrate Mass. The government

further relaxed its restriction on religion and announced that citizens would be allowed to celebrate Christmas as an official holiday. However, the government continues to ignore the Pope's appeal to recognize the church's role in Cuban society. In addition, it continues to restrict the church's access to the media, and maintains its prohibition against the establishment of religiously affiliated schools. Although some foreign priests and nuns were allowed to enter the country, many have been denied entry visas or their applications are still pending.

The constitution prohibits discrimination based on sex, race, disability, or social status, and the government generally enforces these provisions. However, there were reports of police harassment of black youths, and forced expulsion of individuals and families from Havana to the poor, predominantly black and mixed, eastern provinces.

The law does not mandate access to public buildings for people with disabilities.

Although illegal, forced labor by children is permitted by the government. Students over age eleven are required to work in the farming sector, without compensation, for up to eight hours a day during their summer vacation.

Citizens do not enjoy freedom of movement. There are restrictions on both domestic and foreign travel. They particularly apply to human rights activists and independent journalists. The authorities occasionally deny exit permits without formal explanation to persons who qualify for immigrant or refugee status in other countries. In addition, migrants and approved refugees often are unable to pay the high exit fees imposed by the government. The government provides first asylum and does not force persons to return to countries where they fear persecution.

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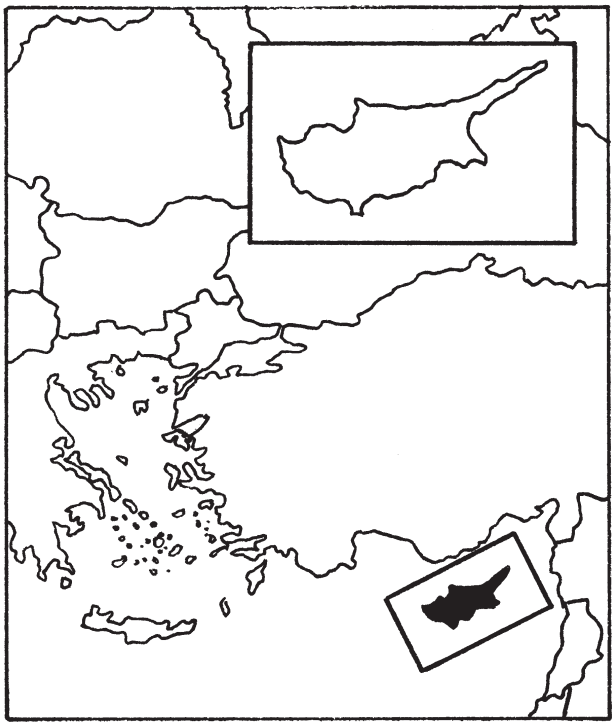
Cyprus



Cyprus is a republic situated at the northeastern end of the east Mediterranean basin. Cyprus is the third-largest island in the Mediterranean Sea, with an area of 3,572 square miles and a population of approximately 754,000, of whom 78 percent are Greek-Cypriots, 18 percent are Turkish-Cypriots, and 4 percent are foreigners. The official languages are Greek and Turkish, with English often used as a second language and widely understood by both ethnic groups. The state religion is Christian Orthodoxy for the Greek-Cypriot majority and Islam for the Turkish-Cypriot minority.

BACKGROUND

The Republic of Cyprus joined the United Nations on September 20, 1960, soon after independence, and gradually became a member of nearly all UN specialized agencies. Cyprus is also a member of the Council of Europe and the Commonwealth, formerly known as the British Commonwealth. Cyprus participates in the Organization for Security and Cooperation in Europe. It has a Customs Union Agreement with the European Union and applied on July 4, 1990, to become a full member. It maintains economic relations with a host of foreign countries and international organizations. Cyprus is also a founding member of the non-aligned movement.

Cyprus has played an important role in the history of the eastern Mediterranean because of its privileged geographic position on the crossroads between the East and the West. Because of its geographic position, Cyprus has also suffered many attacks, invasions and occupations throughout its long history that can be traced back to the eighth century B.C.E.

Today, Cyprus suffers under military occupation of 38 percent of its territory by Turkey, the result of Turkey's invasion of the island in July 1974. The Turkish invasion was prompted by claims of the island's ethnic Turkish inhabitants that their rights were being violated.

Because of the Turkish military occupation, the government of Cyprus has been prevented from exercising any form of control, power, or authority over the areas under Turkish occupation, and therefore provides no protection for human, civil, and other rights of the Cypriot population living in these locations.

Nearly one-third of the Cypriot population was displaced from their homes and properties in the Turkish-occupied areas and has lived in refugee camps since 1974. They are refused the right to return to their homes, despite resolutions in their favor from the United Nations, the Council of Europe, the European Union, and other organizations, and despite the favorable judgments of the European Court of Human Rights.

The president of the Republic of Cyprus is elected by universal suffrage for a five-year term. The executive power is exercised by the president through a ten-member Council of Ministers.

The Cyprus Parliament is composed of eighty members, fifty-six of whom are elected by the Greek-Cypriots, and twenty-four by the Turkish-Cypriots for a five-year term by universal suffrage among the two respective ethnic parts of the population. Since 1963, the leaders of the Turkish-Cypriot minority have prevented the members of their community from electing their twenty-four representatives, therefore the twenty-four seats of the Cyprus Parliament have been vacant since that time. The Maronite, Armenian, and Latin religious groups residing in Cyprus are also represented by one representative each.

The establishment and function of political parties is absolutely free. There are eight political parties at present, five of which are represented in the Parliament.

HUMAN RIGHTS

The 1960 constitution of the Republic of Cyprus provides for a full enjoyment of human rights by the Cypriot population and by those residing in or visiting Cyprus. Articles 6 to 35 of the constitution are, more or less, a reproduction of the European Convention for the Protection of Human Rights and they are interpreted and implemented by the courts according to the principles and guidelines of the European judicial bodies.

Freedom of conscience, expression, thought, speech, assembly, association, and religion are safeguarded by the constitution. Freedom of the press and the right to criticize the government and public officers are adequately granted.

The island's independent judiciary exercises the administration of justice. Acts and decisions of the administration are subject to the judicial control of a supreme court, while the constitutionality of any law is also under the judicial control of the courts. The appointment, promotion, transfer, termination of appointment, and disciplinary control of all judicial officers is entrusted by the constitution to the Supreme Council of Judicature, which is composed of the president and the judges of the supreme court.

The institution of the ombudsman, initiated in July 1991, provides an extrajudicial check on the acts or omissions of the administration. The ombudsman, as an independent officer of the state, investigates any complaints submitted by individuals, and suggests remedies in cases in which a violation of the constitution, the law, or the proper administrative practice is proven.

In 1998, a National Organization for Human Rights was established by a decision of the Council of Ministers. The organization is composed of representatives of governmental departments and non-governmental organizations, and is divided into two sections. The main task of the first section, consisting of government representatives, is to monitor the implementation of international human rights instruments in Cyprus and to draft the reports submitted

by the state to the relevant international bodies about this implementation. The second section, consisting of representatives of the non-governmental organizations, has the authority to investigate complaints submitted by individuals regarding human rights violations, and to present suggestions for the improvement of human rights standards to the government.

Three specialized human rights non-governmental organizations, officially registered according to the relevant legislation, function in the Republic of Cyprus. Several other organizations focus on specific human rights issues, such as the rights of women, the rights of economic emigrants and foreign workers, and the rights of those infected with HIV. There is also an Amnesty International section and a Parliamentary Committee on Human Rights.

These organizations exercise pressure on the state to make positive strides regarding human rights safeguards. They also play a very constructive role in educating people, especially the youth, about their rights and freedoms, and about how to defend and claim them.

There is fair access to health care and very good access to every level of public education, which is free at all levels, from elementary school to the university. Unfortunately, social services do not meet the expected standards in the area of social welfare, but they are adequate in terms of social security for the elderly.

Women participate in the economic, social, cultural, and political life of the island. Despite that, the number of women participating in politics is reduced because many Cypriots believe in upholding the traditional roles for women as wives and mothers. Non-discrimination against women is improving in Cyprus through the ratification of international conventions, and through the monitoring of the enforcement of existing laws by the courts.

Incidents of violations of human rights and fundamental freedoms by law-enforcement personnel are reported from time to time. Such incidents concern mainly police brutality against foreign workers and economic emigrants, and against youth groups demonstrating for various issues. Complaints against such police behavior, submitted to the attorney general by human rights organizations and individuals, are investigated by independent criminal investigators. As a result, some police officers have been brought before criminal courts.

The Cypriot community, with its small size and geographic isolation, does display signs of discrimination and intolerance against foreign workers and economic emigrants.

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Czech Republic

The Czech Republic is located in East-Central Europe. It is bounded on the northeast by Poland; on the east and south by Slovakia; on the south by Austria; and on the west and northwest by Germany. Prague is its capital. Czechs (95 percent), Germans, Gypsies (Roma), Poles, Silesians, and Slovaks compose its population of more than 10 million. The official religion is Roman Catholicism. The official language is Czech.

BACKGROUND

The former Czechoslovakia was founded in 1918, after World War I, from territories of the Austro-Hungarian Empire. In 1938, Germany occupied Czechoslovakia, which remained part of Germany for the duration of World War II. In 1945, Czechoslovakia was "liberated" by the Soviet Army. In 1948, the Communist Party, supported by the Soviet Army, assumed power in Czechoslovakia after a coup. The country then became part of the Warsaw Pact and COMECON. In 1989, the communist regime was overthrown by the "velvet revolution." In 1990, 22,000 political prisoners were released and the Soviet Union agreed to withdraw its troops. In 1993, divided by ethnic tensions between Czechs and Slovaks, Czechoslovakia split into the Czech Republic and Slovakia.

The Czech Republic is a parliamentary republic, whose constitution was signed on December 16, 1992. The president, the prime minister, and the cabinet form the executive branch. Two bodies form the legislature: the Chamber of Deputies (the Czech National Council) and the Senate. The supreme and national courts represent the judiciary, which is independent.

The economy of the Czech Republic is one of the most developed among the emerging republics of the former Soviet block. However, the Czech Republic is still struggling through the transition from a centralized economy linked to the Soviet Union to a free-market economy. Czech manufacturers lost all their markets among the eastern communist countries. In addition, the Czech Republic lacks energy resources and sufficient raw materials. Today, heavy industry and agriculture are the country's main activities, and Western countries represent its main commercial partners.

A petrochemical factory belches pollution into the environment.

HUMAN RIGHTS

The constitution of the Czech Republic guarantees its citizens respect for human rights and freedom, and the government respects these provisions. However, there are still problems of discrimination and skinhead violence, especially against Jews and Roma.

During 1998, there were some reports of the excessive use of violence by the police in containing a group of anarchists and environmentalists who were rioting in Prague, causing damage to cars and shops. The Office for the Documentation and Investigation of the Crimes of Communism continues its investigation of cases of torture during the communist era.

According to human rights observers, Czech prisons meet minimum international standards despite some overcrowding. The prison system was at 114 percent of capacity in August 1998.

Police may hold a suspect in custody for up to forty-eight hours before giving a suspect access to legal assistance. Pretrial detention can be very long. The average pretrial detention period is two years, but can be extended to up to four years for exceptional cases under the criminal code. For certain crimes bail cannot be granted. In addition, the judicial system is experiencing a backlog of cases due to a lack of experienced police investigators. As of July 1998, approximately 50 percent of detainees were awaiting trial.

The law prohibits exile, and the government respects this provision. However, following the formation of the Czech Republic in 1993, local courts and police have expelled all Slovaks without proper citizenship or residency papers. Most of them were Slovak Roma. This is clearly a result of racism. In February 1998, presidential amnesty was granted to those who received expulsion, but some courts have not implemented it.

The law grants a fair trial to all citizens. Nevertheless, the 1991 Lustration Law, issued to prevent communist-era collaborators from being given high state responsibilities, has been criticized for violating human rights principles, because it discriminates in employment and assigns collective guilt. Moreover, the information on collaborators came from the communist secret police logs, which were widely incomplete and unreliable. In 1998, of ninety-nine cases considered for prosecution under the Lustration Law, action was recommended against forty-two people; twenty-seven cases resulted in criminal punishment.

The law provides for freedom of speech and the press, and there are a variety of newspapers, magazines, and journals owned by private individuals or firms operating without government interference. There are three television stations, two private and one public, and sixty private radio stations and one public radio station (Czech Public Radio).

The Czech Republic grants asylum and cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The law for asylum and refuge is in accordance with the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. The Czech Republic provides refugees with a reception center, three camps, and six integration centers. Human rights groups operate without government restriction, and the authorities are usually cooperative and responsive.

Citizens above age eighteen are eligible to vote. However, many members of the Roma community are not enjoying this right because they were not granted citizenship after the split between the Czech Republic and Slovakia.

The rate of violence against women is not known because attention is not given to the problem in spite of many women's efforts. According to some studies, 11 to 19 percent of women experience sexual abuse by their husbands or partners. In addition, the law does not directly address the problem of spousal abuse, although the legal code covers some cases of domestic violence. Moreover, police personnel are not experienced in dealing with such cases. However, there are fifty-four state-supported shelters around the country, providing medical and social assistance. Women enjoy the same rights under the law as do men in terms of pay. However, women's salaries are still 25 percent lower than those of men, although the gap is being reduced.

The government is committed to children's welfare, with programs providing health care, education, and nutrition. In 1995, a children's crisis center was established with 70 percent state support.

The disabled experience difficulties in finding jobs, and in obtaining access to buildings and public transportation. Education for the disabled is a problem because of architectural barriers, although there is one barrierfree school in each district.

Racial and ethnic discrimination is still a problem, especially for Jews and Roma. In spite of all government efforts, the members of the Roma community are far from being integrated into society. Workers have the right to strike, but before declaring a strike, the law requires a mediation to take place. Union membership declined during the year 1999.

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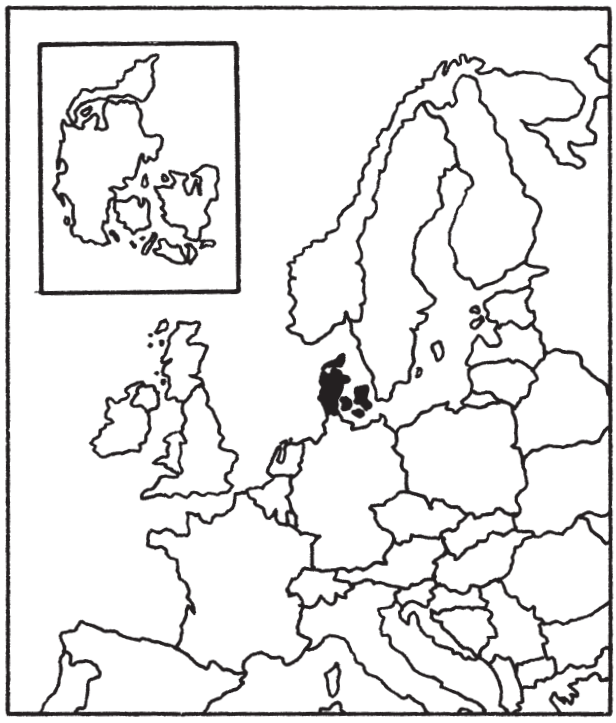
Denmark



The Kingdom of Denmark consists of a peninsula and a number of islands in Northern Europe, bounded on the south by Germany, and on the west by the North Sea. Demark has a population of over 5 million. Copenhagen is the capital city. Demark became a constitutional monarchy in 1849. Queen Margrethe II is the head of state and appoints both the prime minister and the cabinet ministers, who administer the government. Legislative power is held by the unicameral Parliament (the Folketing) whose leaders are elected by a system of proportional representation and can dismiss the cabinet by a vote of no confidence. The judiciary is independent. The Danish government also represents the Faroe Islands and Greenland.

Denmark was invaded by Germany in 1940 and liberated by the Allies in 1945. Since then, it has been a charter member of the United Nations. It was also a founding member of the North Atlantic Treaty Organization (NATO).

The major ethnic groups are Scandinavians, Eskimos, Faeroeses, and Germans. The principal religious denomination is the Evangelical Lutheran Church. Danish, Faroese, Greenlandic, and German are the main languages, with English as the predominant secondary language.

Denmark's industrialized economy and liberal trade policy within the European Union provide a very high standard of living to its citizens. Unemployment is low. It is one of the few countries to exceed the United Nations goal of assisting developing countries. A well-developed welfare system guarantees that all Danes receive basic health care and public support if needed.

The government grants and, through the judiciary, enforces human rights provisions for its citizens. It also cooperates with human rights groups in their investigations and in publishing their findings. Citizens can change their government by means of periodic, fair, and free elections based on universal suffrage.

Women are active and participate equally in the public and private sectors. They are also well represented in the government. However, some wage inequalities still

Squatters clash with police, 1993.

persist. Women imported from Eastern Europe for the purpose of prostitution represent a major social problem.

Children's welfare is highly protected by the government. The law prohibits physical punishment of children by adults, including parents. There are no reports of societal discrimination against disabled persons.

Some tension exists between Danes and refugees or immigrants, especially with those from Somalia and the former Yugoslavia. The government has modified immigration laws so that immigrants or refugees have to be residents for three years before acquiring permanent resident status. Additionally, they have to demonstrate their complete integration into society. One of the more recent immigration laws has been criticized by human rights organizations for its potential to discriminate against refugees by granting them 20 percent fewer social benefits than those enjoyed by Danish citizens.

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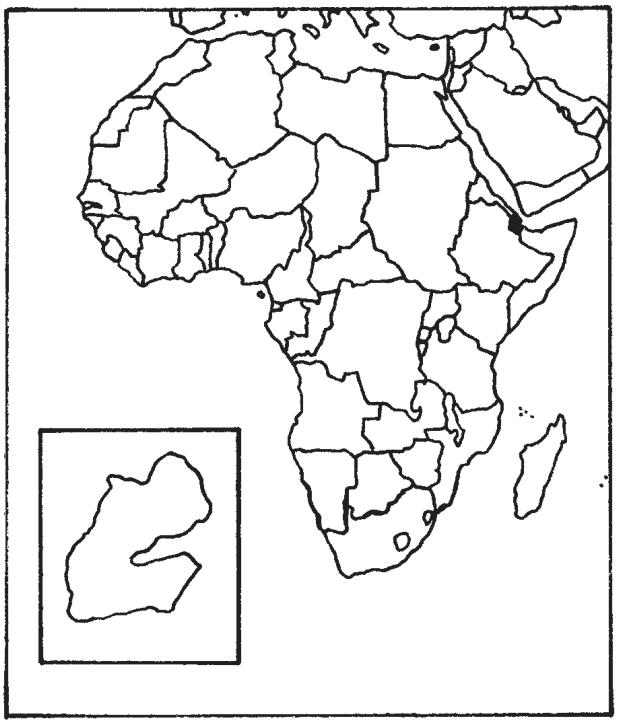
Djibouti



Previously known as the French Territory of the Afars and the Issas, Djibouti gained its independence from France in 1977. Djibouti is slightly smaller than the state of Massachusetts, and it is located in eastern Africa, bordering the Gulf of Aden and the Red Sea. Its capital city is Djibouti, and its current head of state is President Ismail Omar Guelleh. The population is approximately 450,000. The majority of Djiboutians belong to the Somali ethnic group, although the Afar form a significant minority. French, Arabs, Ethiopians, and Italians comprise about 5 percent of the total populace.

BACKGROUND

The economy is primarily based on service activities connected with the country's strategic location (all shipping through the Suez Canal must pass the coast of Djibouti) and its status as a free-trade zone. Djibouti serves as a transit port for all of eastern Africa and as a refueling center for international cargo ships.

Because the climate is dry, there is very little arable land and most food must be imported. Djibouti suffers from an extremely high unemployment rate.

On April 9, 1999, Djibouti elected its second president since gaining its independence. International and local observers reported that the elections were generally free and fair, citing only minor technical glitches.

The 8,000-member National Police Force (FNP) is responsible for internal security and border control. The FNP is in turn overseen by the Ministry of Interior. The army is a separate entity, overseen by the Ministry of Defense. The president has his own security force, the Gendarmerie Nationale, which is an autonomous unit, responsible only to the executive. Djibouti also has a small intelligence agency, which reports directly to the president.

HUMAN RIGHTS

Djibouti's human rights record is poor. The last parliamentary elections, which took place in 1997, were riddled with fraud. The People's Rally for Progress, Djibouti's ruling party, continues to use its power to suppress organized opposition. Ethnic strife between Somalis and Afars has weakened the government's ability to maintain order. The judiciary is not independent of the executive

branch. It is therefore not impartial, and many prisoners have been held for years without trial. The government continues to infringe on its citizens' rights to privacy, freedom of speech, and freedom of the press.

Some members of the FNP and other security agencies have committed human rights abuses. On April 27, 1999, government forces killed three private citizens and left a fourth for dead, reportedly in retaliation for a series of land mine explosions that killed several soldiers. There were many reports of fighting involving the Djiboutian army and Afar rebels. In 1998, gendarmes killed one man and injured another in downtown Djibouti, when they shot into a crowd while attempting to make an arrest. The gendarmerie was able to avoid an investigation into the incident, and no punitive action has been taken against the gendarmes involved. Also in 1998, security forces killed two Afar community leaders in the countryside, ostensibly in retaliation for another land mine explosion.

There have been no reports of politically motivated kidnappings or disappearances. Perpetrators of torture in Djibouti are subject to fifteen years in prison, although there is evidence that police often beat and otherwise torture prison inmates. Five unrelated cases were brought against the government in 1999, alleging torture and other physical abuse while the plaintiffs were in prison. One such report states that police beat a civilian after trying to force him to walk on a land mine.

Prison conditions are harsh and prisons are overcrowded. One prison, built for 350 inmates, houses twice that number. Food is so scarce that inmates must bribe prison guards to obtain it. Sources within the prison system report that they have seen evidence suggesting that prison guards routinely rape women inmates. Medical care is inadequate. In April 1999, approximately forty inmates in one prison went on a hunger strike to protest the conditions. The International Committee of the Red Cross (ICRC) sent a delegation from nearby Kenya to observe and report on the prison conditions in Djibouti, but they were denied access.

Interference from the executive branch hampers private citizens' right to a fair trial, even in non-political cases.

The Djiboutian constitution provides for freedom of the press, but at times this right has been denied in practice. There are many opposition-run newspapers that are extremely critical of the government and that circulate freely, but newspaper vendors who sell opposition papers are occasionally arrested or intimidated by the police. In April 1999, the government banned one radio station from broadcasting Radio France International (RFI) for a period of several weeks after RFI reported on a hunger strike in Paris protesting prison conditions in Djibouti. In August, two leading opposition newspaper editors were arrested and held on charges of distributing false information. During their six-month imprisonment, both of their newspapers were banned from publication. The ban was subsequently lifted and the editors were both later released.

Djibouti citizens' right to assembly is also restricted. In February 1999, police arrested and detained three opposition party leaders and six busloads of their supporters for several hours after using tear gas to break up their rally. In March of the same year, police used tear gas to break up a rally of around 1,000 people for the opposition presidential candidate, Moussa Ahmed Idriss. Seventeen people were arrested, and several of the participants were severely beaten.

For the most part, the government of Djibouti respects freedom of religion in prac-

tice. Religious groups have to register with the government, but there have been no reports that the government refused registration to any religious group. The government discourages proselytizing.

Although wife beating and rape remain problems, reports of violence against women are rare. The government has shown concern over the problem of rape and has revised the Penal Code to include sentences of up to twenty years for convicted rapists, although the government has shown hesitancy to use rape as a charge. The police rarely intervene in domestic disputes. Soldiers systematically rape Afar women in rural provinces, and very few charges have been filed for these incidents because the victims are ashamed and fearful of reprisal. Few women attain managerial or professional positions, and traditional Islamic law discriminates against women in most civil, domestic, and economic matters.

There are almost no public funds dedicated to the advancement of children's rights and welfare. Although primary education is compulsory, the government does not monitor compliance. Most schools are in disrepair and lack sufficient educational materials. More than 53 percent of primary and secondary school students are illiterate—only 32 percent of girls are able to read, as compared with 60 percent of boys. The government has not addressed the issue of child abuse. When a child is abused, the perpetrator is usually only fined the cost of the child's medical care.

The government has not been cooperative with human rights groups. The government intermittently detained and released the leaders of two domestic human rights organizations during 1998 and 1999. The Red Cross manages to maintain a small, locally staffed office.

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Dominican Republic

The Dominican Republic is located in the West Indies, and occupies the eastern two-thirds of the Island of Hispaniola, with Haiti occupying the western third. The Atlantic Ocean bounds it on the east, and the Caribbean Sea bounds it on the west. Santo Domingo is the capital. The population of approximately 8 million is primarily of a mixed ethnicity (73 percent). Other groups include Europeans (16 percent) and Africans (11 percent). Catholicism is the major religious denomination (96 percent). The official language is Spanish.

BACKGROUND

The Dominican Republic was proclaimed independent in 1844 after a victorious revolution against Haiti led by Don Pablo Duarte, the national hero. In 1930, a military coup led by Rafael Trujillo established a dictatorship that lasted until 1961 when the dictator was assassinated. Democratic elections took place in 1962. However, in 1963 another coup reestablished the dictatorship. In 1965, the U.S. Marines intervened and restored democracy.

The Dominican Republic is a representative democracy. The president and the cabinet make up the executive branch of government. The Senate and the Chamber of Deputies represent the legislative branch. The Supreme Court represents the judicial branch.

The Dominican Republic is a middle-income developing country primarily dependent on agriculture, trade, and services, especially tourism. Tourism accounts for more than $1 billion in annual earnings. Free-trade–zone earnings and tourism are the fastest growing economic sectors.

The Dominican Republic belongs to the UN and many of its specialized and related agencies, including the World Bank, the International Labor Organization, the International Atomic Energy Agency, and the International Civil Aviation Organization. It is also a member of the Organization of American States, the Inter-American Development Bank, and INTELSAT.

HUMAN RIGHTS

The Dominican constitution grants human rights to the citizens of the Dominican Republic. However, violations of human rights by police and state officials are still reported frequently. In 1998, there were no offi-

One of many families made homeless by the government's decision to build a huge monument to Christopher Columbus.

cial reports of political killings by the police, but there were a number extrajudicial killings reported, slightly more than in 1997. Police tribunals on occasion have tried, convicted, and sentenced government personnel charged with extrajudicial killings. Police courts sentenced fifty members of the police (thirty-nine enlisted persons and eleven officers) convicted of serious crimes, while the authorities dismissed a number of other members of the police and remanded their cases to the civilian court system.

Torture and other forms of physical abuse are illegal, but allegations continue of security service personnel physically abusing detainees. Lack of supervision, training, and accountability throughout the law enforcement and corrections system exacerbate the problem of physical abuse. Human rights groups and the press have reported many incidents of physical abuse of detainees while in custody. Penalties for torture and physical abuse were toughened by a law passed in 1997 that provides for sentences ranging from ten to fifteen years in prison. However, these provisions were not fully known or enforced by prosecutors and judges, and some sentences were less than that stipulated by law.

The constitution provides that authorities may detain suspects for a maximum of forty-eight hours before arraignment, after which they must charge or release them,

although in special circumstances, suspects may be detained for longer periods with the approval of the prosecutor's office. However, the security forces continue to violate constitutional provisions by detaining suspects for investigation or interrogation beyond the prescribed forty-eight-hour limit.

Although the constitution stipulates an independent judiciary, interference from other public and private entities, including the executive branch, undermines judicial independence. The constitution provides for public trial and for representation by counsel. During the closed pretrial investigative phase of the criminal justice process, the state traditionally provides no counsel to imprisoned indigents. In August, the government inaugurated a small (thirteen-person) public defender organization to provide service to indigent defendants in the Santo Domingo metropolitan area. Where no public defender is available, the judges assign indigent cases to seventy part-time, private attorneys, whose services are paid for by the state.

The security forces have been accused of a number of human rights abuses. The security forces have detained relatives and friends of suspects to try to compel suspects to surrender. The police allegedly followed a leader of a human rights group on several occasions in late 1997.

Haitians continue to migrate in great numbers to the Dominican Republic, some legally, but most without legal documents, in search of economic opportunity. At any given time, the security forces, particularly the army, deport undocumented Haitian nationals believed to be in the country illegally. International observers estimated that the Dominican government deports more than 10,000 Haitians a year. In many cases, the government denied those deported the opportunity to demonstrate that they resided legally in the Dominican Republic.

The government cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees. Non-governmental human rights organizations operate freely without government interference. In addition to the Dominican Human Rights Committee, the National Human Rights Commission, and the non-government Truth Commission, several Haitian, church, women's, and labor groups exist.

Domestic violence and sexual harassment are widespread. Under the 1997 Law Against Domestic Violence, the state can prosecute a suspect for rape, even if the victim does not file charges. This law also allows a rape victim to press charges against her husband without having her marriage annulled. However, because the law was passed relatively recently, its effectiveness in enhancing women's lives is yet to be determined. The government's Office of Women's Issues assists women with outreach programs on domestic violence and legal rights. In May 1998, the government opened a center for the forensic examination of abused women, which handled ten to fifteen cases a day, most of them involving minors. However, there still are no shelters for battered women. The government does not enforce the law against prostitution.

Women do not share equal social and economic treatment or opportunity with men. In many instances, women are paid less than men are in equal jobs and with equal skills. Some employers in industry reportedly give pregnancy tests to women before hiring them, as part of a required medical examination. Union leaders and

human rights advocates report that pregnant women often are not hired.

Private social and religious institutions carry out most of the child welfare work, although there are government institutions for that purpose. The most serious abuse involving children is the failure of the judicial system to protect the status of minors in criminal cases. The authorities sometimes treat minors as adults and incarcerate them in prison rather than juvenile detention centers. According to local monitors, instances of child abuse were underreported because of traditional beliefs that family problems should be dealt with privately by the family. However, child abuse is receiving increased public attention. Some in the tourist industry have facilitated the sexual exploitation of children. Some tours are marketed overseas with the understanding that children can be obtained as sex partners.

Disabled persons encounter discrimination in employment and in the provision of other services. However, since 1997 the government has made many efforts to improve conditions for the disabled.

A strong prejudice against Haitians runs through Dominican society, harming many Haitians and Dominicans of Haitian ancestry. The government has not acknowledged the existence of this discrimination nor has it made any effort to combat it. Darker-skinned Dominicans also face informal barriers to social and economic advancement.

The constitution provides the freedom for the workers to organize unions and to strike. Unions represent all workers except the military and the police.

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Ecuador

The Republic of Ecuador is located in western South America, on the Pacific Ocean. It has borders with Colombia and Peru. Its population, estimated to be 12.5 million, is composed of indigenous peoples (25 percent), mestizos (55 percent), Africans (percent), Spanish and others (10 percent). Quito is the capital city. Roman Catholicism is the principal religion. Spanish is the official language, although indigenous languages such as Quichua—the Ecuadorian dialect of Quechua—are spoken.

BACKGROUND

Ecuador is rich in oil resources and agricultural products. The economy is based on private enterprise, although the government is heavily involved in such key sectors as petroleum, utilities, and aviation. The major exports are oil, bananas, and shrimp. Because of inadequate fiscal stabilization measures, corruption in the government, and high domestic interest rates, the country has experienced uneven economic growth in recent years. In 1995, Ecuador joined the World Trade Organization, but did not comply with many of its rules. In 1998, after a brief increase in economic activity, Ecuador's economic growth was adversely affected by lower world oil prices and by poor weather caused by the El Nino weather patterns.

Before the Spanish arrived and defeated the Inca armies in 1534, the territory had long been inhabited by advanced indigenous cultures. During the first decades of Spanish rule, the indigenous population was decimated by disease and mistreatment. Independence from Spain was achieved on May 24, 1822. The nineteenth century was characterized by instability and a rapid succession of rulers. After World War II, following years of political instability and military coups, the country finally achieved prosperity and peace. This lasted until the populist politics and domestic military interventions of the 1960s. A nationalist military regime ruled the country from 1972 to 1979, after which Ecuador returned to democracy.

Ecuador is a member of the United Nations and the Organization of American States, as well as of a number of regional groups, including the Rio Group, the Latin American Economic System, the Latin American Energy Organization, the Latin American Integration Association, and the Andean Pact.

The national government has separate executive, legislative, and judicial branches. The executive branch consists of the president and fourteen cabinet ministers. A unicameral Congress represents the legislative branch, whereas the judicial branch consists of a supreme court, provincial courts, and ordinary civil and criminal judges. The military enjoys substantial autonomy, whereas the national police fall under the civilian Ministry of Government and Police.

HUMAN RIGHTS

According to human rights monitors, the politicized, inefficient, and corrupt legal and judicial system is responsible for a number of human rights abuses. Although the constitution provides for an independent judiciary, in practice the judiciary is susceptible to outside political pressures and the payment of bribes, and operates slowly and inconsistently. Furthermore, both the police and the military are often involved in human rights abuses.

Persons are frequently subject to arbitrary arrest, and, once incarcerated, may wait years before being convicted or acquitted unless they pay bribes. Although the law prohibits incommunicado detention, this practice is frequently adopted. The large majority of prisoners in jail have not been formally sentenced. The authorities often do not observe internationally accepted due process rights for criminal defendants, and there are relatively few public attorneys available to defend the large number of indigent suspects. Extrajudicial killings and mistreatment of pris-

Demonstration against the government.

oners by the police are very common. There have been several allegations of extrajudicial killings committed by drunken police members. Although torture and similar forms of intimidation are prohibited by the law, police often abuse suspects and prisoners, usually without fear of punihsment. Among the most common forms of torture used by the police are burning with cigarettes, applying electric shocks, and psychological threats.

Prison conditions are very poor. Overcrowding constitutes a major problem, although it has been reduced recently. There are no separate facilities for dangerous criminals and minor offenders, and there are no effective rehabilitation programs.

The constitution provides for freedom of speech. The authorities usually respect this provision, although charges of slander and libel brought by and against public figures are frequent. Furthermore, although there is freedom of the press, some degree of self-censorship is practiced in the print media, particularly when political or military issues are involved. The constitution also provides for freedom of association and for the right of free assembly, and the government generally respects these rights in practice.

The government respects freedom of religion and allows religious demonstrations by all religions. By contrast, discrimination against women, Afro-Ecuadorians, and indigenous people is widespread, despite the fact that the constitution prohibits discrimination based on race, religion, sex, or social status. Violence against women, including abuse within marriage, is a serious problem. Although many rapes occur, few are reported because of victims' reluctance to confront perpetrators. Women particularly experience discrimination in the areas of educational and economic opportunities.

Poor children, especially in urban areas, often experience severe hardships. Child prostitution is common, and although the constitution states that children must attend school until age fourteen, children often leave school at an early age in order to support themselves or to augment the family income.

The indigenous peoples of Ecuador are at the bottom of the socioeconomic scale, and Indians and Afro-Ecuadorian citizens suffer pervasive discrimination. Disabled persons are not provided with any special government assistance, nor are there laws to guarantee access to public buildings or services.

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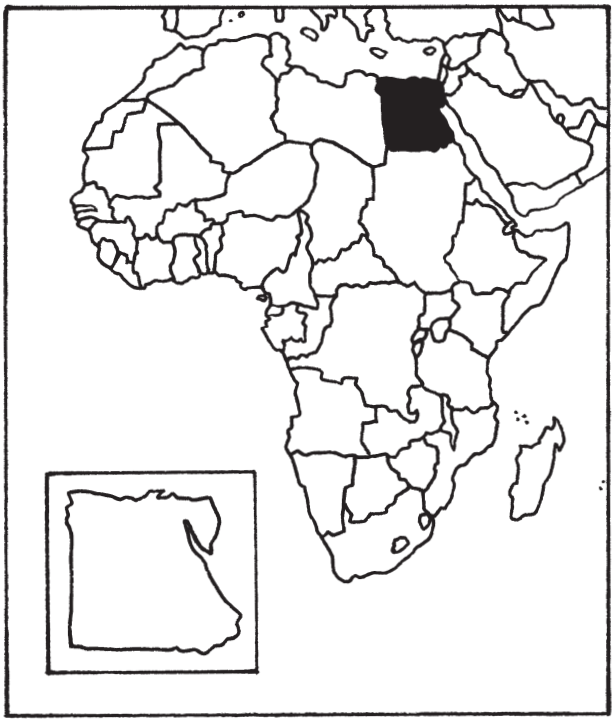
Egypt



The Arab Republic of Egypt is situated in North Africa, bounded on the north by the Mediterranean Sea, on the east by the Red Sea and the Suez Canal, on the south by Sudan, and on the west by Libya. It controls the Sinai Peninsula, the only land bridge connecting Africa with Asia, and the Suez Canal, a sea link between the Mediterranean Sea and the Indian Ocean. Cairo is the capital city. One of the most populous countries in the Arab world and the second most populous on the African continent, Egypt has a population of approximately 67 million, mainly of Hamitic origin. Ethnic minorities include Bedouin Arab nomads living in the eastern and western deserts and in Sinai, and Nubians concentrated along the Nile in Upper Egypt. Islam is the state religion. About 94 percent of the population are Sunni Muslim, while the remainder are mostly Coptic Christians. Arabic is the official language; French and English are widely understood by members of the educated classes.

BACKGROUND

Because of its location, Egypt has always played a major role in Middle Eastern geopolitics. After achieving independence from the United Kingdom in 1922, Egypt remained under British political influence. In 1952, following an outbreak of violence between Egyptians and British in the canal area, Lt. Col. Gamal Abdel Nasser led a military coup that overthrew King Farouk. Egypt was declared a republic the following year. Nasser's anti-Israeli policies provoked the Suez war in 1956, and the war of June 1967, in which Egypt's military forces were defeated. As a result, Egypt lost the Sinai Peninsula to Israel.

Nasser's successor, Anwar el-Sadat, signed the historic Camp David accords in 1978. As a consequence of this treaty, Egypt regained control of the Sinai Peninsula and relations with the United States improved. Sadat's domestic policy aimed at promoting political freedom and liberalization. In October 1981, he was assassinated by Islamic extremists. Hosni Mubarak, who had been vice president since 1975, was elected president shortly afterward. Mubarak was reelected in October 1987, and again in October 1993. Mubarak has maintained Egypt's commitment to the Camp David peace accords. Egypt played a key role during the 1990–1991 Persian Gulf

war, with its military contingent representing the second-largest coalition forces. It also played an important role in the Madrid Peace Conference in 1991, and in ongoing discussions promoting peace in the Middle East.

The constitution provides for a strong executive. The president appoints the members of the cabinet and the country's local governors, with the power to dismiss them at his discretion. Mubarak's National Democratic Party dominates the popularly elected legislative body, the People's Assembly, and the partially elected Consultative Council. The judiciary is independent. The president is also commander-in-chief of the military forces. In practice, Mubarak operates as the dictator of Egypt. The minister of interior controls several security services, including the State Security Investigations Sector (SSIS) and the Central Security Forces, whose function is to combat terrorism.

Egypt is a member of the Arab League, of the Organization of African Unity, and the United Nations.

Egypt's economy is moving toward a decentralized, free-market system through an ongoing program of economic reforms initiated in 1991. Agriculture, mainly in private hands, still provides employment to more than one-third of the labor force. Cotton is the largest exported crop. Tourism, petroleum exports, and Suez Canal revenues represent major sources of foreign currency. Per capita gross domestic product was estimated at $3,000 in 1999.

HUMAN RIGHTS

Since 1981 the government has been battling against increased activity by terrorist groups. Islamic extremists have been responsible for serious human rights abuses, including the deaths of hundreds of civilians, governmental officials, members of security forces, foreign tourists, and Egyptian Christians.

The government is also responsible for human rights abuses in several areas. Egypt is a social democracy according to its constitution, yet its citizens do not, in practice, have the ability to change their government. The ruling National Democratic Party controls the legislative body, the local governments, the media, and the public and private sectors. Administrative courts recognized the 1995 legislative elections as fraudulent. However, the Assembly did not call for new elections. The government also controls the licensing of new political parties.

In 1981, the government enacted the Emergency Law as part of its antiterrorist campaign, and since then special decrees and provisions have been invoked to protect national security. The Emergency Law restricts many human rights. Under its provisions, authorities can arrest without warrant or detain without charge any individual who poses a threat to national security or public order. There are reports by human rights groups of detainees who have been in prison for several years without being formally charged. Mass arrests have been conducted as part of the government's antiterrorist campaign. In addition, under the Emergency Law, cases involving terrorism are tried by military or State Security Emergency courts, in which the accused are not granted the constitutional protections of civilian judicial courts. Hundreds of civilian defendants have been denied due process and the right to appeal.

Police have also committed extrajudicial killings. Some of these killings occurred during antiterrorist operations. Others have taken place while people were being held by authorities. In a few cases, the govern-

ment took light disciplinary actions against perpetrators. Human rights groups also believe that the SSIS employs torture to extract confessions from suspected terrorists and to deter others from antigovernment activities. Human rights monitors are still investigating the 1992 to 1996 disappearances of dozens of people likely involved with terrorist organizations.

Police occasionally use arbitrary arrest and detention against any person suspected of criminal acts. Prison conditions are very poor. Cells are overcrowded and poorly ventilated. Prisoners lack medical care and adequate nutrition. Some prisons are closed to visits, including those by relatives and lawyers. In addition, restrictions are applied to prisoners incarcerated for political or terrorist crimes. Human rights monitors have been denied visits to several prisons or have been prevented from meeting with prisoners. Egypt also denies access to prisons to the International Committee of the Red Cross (ICRC).

The government infringes on citizens' rights to privacy on the basis of the Emergency Law. Journalists, foreigners, suspected subversives, writers, and political activities are subject to surveillance. Their correspondence, especially their international mail, is often intercepted. Authorities may conduct searches without warrants, use wiretaps, and confiscate property.

The government continues to restrict freedom of speech and freedom of the press by holding a monopoly of the media. It controls the printing and distribution of newspapers, and operates all domestic radio and television broadcasts. The Penal Code, the Press Law, and the Publications Law establish fines or prison terms for criticism of the president, members of the government, or foreign heads of state. In spite of this, however, opposition newspapers provide in-depth reporting on human rights abuses and open criticism of government policies and figures.

Journalists and editors have often been accused of libel. The public prosecutor has the authority to ban publications pertaining to cases involving national security. The interior minister can stop foreign newspapers from entering the country. Other ministries can legally censor, ban, or confiscate books, works of art, plays, and films deemed offensive to social morals, detrimental to religion, or capable of causing a disturbance in the public order. The Islamic Research Center at Al Azhar University is the official authority in charge of censoring publications dealing with the Koran and Islamic scriptural texts, and judges the suitability of non-religious books and works of art. Many moderate Muslims and secularist writers live abroad and fear persecution by Islamic extremists if they return. Foreign films cannot be viewed in theaters. The production of films for foreign distribution made in Egypt is monitored by government censors, who make sure the country is portrayed in a favorable light.

Freedom of assembly and association are also severely restricted. Citizens must obtain governmental authorization before holding public meetings, demonstrations, or marches. The Ministry of Social Affairs has extensive control over associations, and can dissolve organizations involved in political or religious activities. Workers' rights are limited. All trade unions are required to belong to a single federation legally recognized by the government. Strikes are illegal.

Although the Egyptian constitution provides for freedom of religion, in practice the government limits this right. Islam is the state religion and the primary source of legislation. All religious practices that conflict with Islam are prohibited. Muslims may be

During the Cairo World Population Conference, a member of Egypt's Muslim Brotherhood seizes the microphone and lectures the audience on the evils of abortion, September 1994.

subject to criminal charges and, consequently, to travel restrictions if they convert to another faith.

Members of the non-Muslim minority generally operate freely. However, discrimination against Christians is a problem. Coptic Christians, in particular, are victims of harassment and violent attacks by Islamic terrorists. The government does not seem sufficiently determined to prevent such attacks or to address issues of discrimination in education, employment, and politics. The government and the opposition press support anti-Semitic propaganda. Religious minorities are not represented in government or politics.

Societal discrimination against women, enforced by traditional practices, is a problem as well. Women remain underrepresented in government and politics. Rape and domestic violence are widespread. Marital rape is not illegal. Despite the government's effort to eradicate the practice, female genital mutilation is common. Extremist Islamic groups oppose greater rights for women.

Egypt is committed to child welfare, a policy which is supported by international donors. Violence and abuse against children is common. Although the constitution prohibits child labor, the government is unable to enforce this provision, especially in the private sector.

The government is also committed to the rights of people with disabilities, as reflected in its cooperation with United Nations

agencies and other international organizations. Although there is no legislation granting accessibility to public buildings or transportation for the physically disabled, in practice, most services are available. Egypt generally cooperates with the United Nations High Commissioner for Refugees in assisting refugees or asylum seekers.

Citizens and foreigners are free to travel within the country and abroad. Some travel restrictions apply to married women, who require their husband's permission, and to unmarried women under the age of twenty-one, who need their father's authorization.

The government denies legal status to human rights groups by alleging that they are involved in political activities. Since 1985, it has refused to license the Egyptian Organization for Human Rights (EOHR). Government restrictions on the activities of non-governmental organizations significantly affect the reporting of human rights abuses, although the EOHR and other groups continue to operate openly and receive funding from international human rights organizations. Occasionally, human rights activists are victims of government harassment.

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El Salvador

The Republic of El Salvador is located in Central America on the Pacific Ocean. Its territory is bounded by Guatemala and Honduras. San Salvador is the capital city. Its population of 6 million is composed of mestizos (90 percent), and indigenous peoples (1 percent). Although Roman Catholicism is the official religion, several Protestant groups have been growing throughout the country. Spanish is the official language.

BACKGROUND

Until the Spanish conquest in 1525, two large Indian states and several principalities made up the territory that is now known as El Salvador. The district remained under control of the Captaincy General of Guatemala until 1821, when El Salvador achieved independence from Spain along with other Central American provinces. El Salvador became an independent republic in 1838. The following years were marked by frequent revolutions. Relative stability was not achieved until the 1930s. The economic elite and the military ruled the country, and from 1932—the year of General Maximiliano Hernandez Martinez's coup—until 1980, virtually all Salvadoran presidents were army officers.

During the years of military rule, the government employed political repression and limited reform to maintain power. The political situation began to dissolve during the 1970s, when leftist groups opposed to the government became convinced that armed insurrection was the only means to achieve change. Guerrilla warfare broke out in the cities and the countryside, initiating a twelve-year civil war. A large quantity of arms and munitions were provided by the new Sandinista government of Nicaragua.

On October 15, 1979, a revolutionary junta—composed of reform-minded military officers and civilian leaders—defeated the right-wing government of General Carlos Humberto Romero, and began a program of broad economic reforms. On March 28, 1982, Salvadorans elected a new constituent assembly, and in 1983, a constitution was drafted. In 1984, Jose Napoleon Duarte became the first freely elected president of El Salvador in more than fifty years, and five years later the inauguration of Alfredo Cristiani as the next president marked the first time that power had passed peacefully from one freely elected

Child standing near dead civilian, victim of the guerilla conflict, November 1989.

leader to another. Cristiani was committed to ending the decade of conflict between the government and guerrillas, and initiated an unmediated dialogue between the two sides. This dialogue lasted until the Farabundo Marti National Liberation Front (FMLN) launched a nationwide offensive in November 1989. The two sides finally signed the New York City Accord in September 1991, by invitation from the United Nations, and in December of the same year, both sides initiated a peace agreement. The official end of the conflict was marked by a ceremony held on December 15, 1992. Most aspects of the accords have been implemented. The peace process was monitored by the United Nations until 1997.

The Salvadoran economy, which is based on agriculture and manufacturing, is committed to free markets and careful fiscal management. The country benefits from a rich soil, a moderate climate, and a hard-working and enterprising labor force. Coffee and sugar are the principal export crops. The manufacturing sector is dominated by apparel manufacturing and represents the principal source of new jobs. The civil war significantly affected the economy from 1979 to 1990, damaging the country's infrastructure and means of production, and reducing export earnings. Since the attacks on economic targets ended in 1992, private investments have increased significantly. Both the Cristiani

and Calderon administrations introduced free-market policy initiatives, from the privatization of the banking system and the reduction of import duties to the improved enforcement of intellectual property rights and the privatization of the telecommunications and electrical enterprises. Furthermore, the sizable trade and fiscal deficits of the nation have been offset by remittances from Salvadorans living abroad and by external aid.

El Salvador is a member of the United Nations and several of its specialized agencies, the Organization of American States (OAS), the Central American Common Market (CACM), the Central American Parliament (PARLACEN), and the Central American Integration System (SICA). In addition, El Salvador actively participates in the Central American Security Commission (CASC), which seeks to promote regional arms control, and is a member of the World Trade Organization.

El Salvador is a constitutional, multiparty democracy. The national government consists of an executive branch with a president and vice president; an eighty-four-member legislative assembly; and a judiciary represented by a supreme court. The judiciary is independent, but suffers from inefficiency and corruption.

Two Salvadoran army soldiers look at the body of a peasant. According to Catholic groups, the army was responsible for his murder. El Zapote, January 1991.

HUMAN RIGHTS

During the twelve-year civil war, human rights violations by both left- and right-wing forces were pervasive. The peace accords established a truth commission to investigate the most serious cases. The 1993 commission report recommended that those identified as human rights violators be removed from all government and military posts. The accords also recommended the reduction of the armed forces by over 70 percent; the replacement of the discredited National Police with a new Civilian National Police; and the integration of the former guerrillas into political life.

Since the civil war, the nations' human rights record has improved considerably. Virtually all basic human rights are respected, although there are still violations in some areas. There have been a few cases of extrajudicial killings by the police. Although the constitution prohibits torture, some members of the police continue to use excessive force and to otherwise mistreat detainees. Similarly, police often arrest and detain persons arbitrarily. Prison conditions are poor. Overcrowding is a problem,

although it has been reduced in recent years. The judiciary's inefficiency has led to a backlog of cases, which results in lengthy pretrial detention and delays in trials. The new court system has shown some improvement by removing time-consuming investigative responsibilities from the judge and placing them with the police and the prosecutor's office.

Discrimination against women, the disabled, and indigenous peoples is present in the areas of salaries, hiring, and access to credit and education. Violence against homosexuals and women, including domestic violence, as well as child abuse, are serious problems. It has been estimated that some 270,000 minors work, mostly as street vendors. These children usually lose their opportunity for an education and are often sexually abused or forced into prostitution. A 1997 study by the non-government organization network Procipotes documented that about 1,000 children below the age of sixteen were living on their own in the streets. Substance abuse—especially glue and paint sniffing—is a serious problem among urban street children. Allegedly, many street children suffer from police brutality.

International, local, and non-governmental organizations operate freely and monitor the human rights situation in El Salvador. The main human rights investigative and monitoring body is the Ombudsman for the Defense of Human Rights.

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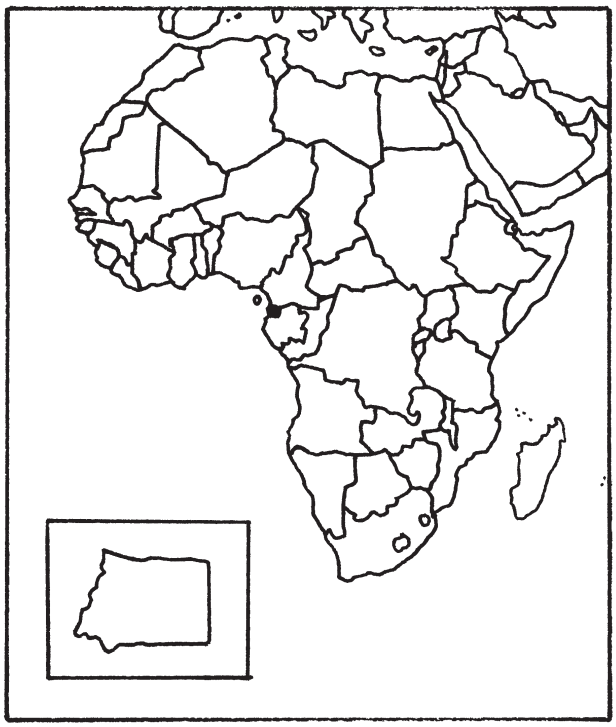
Equatorial Guinea



The Republic of Equatorial Guinea is situated in West Africa. It is bounded on the north by Cameroon, on the east and south by Gabon, and on the west by the Atlantic Ocean. It also includes five offshore islands, including Bioko, off the coast of Cameroon. Malabo, on Bioko Island, is the capital city. Equatorial Guinea has a population of approximately 470,000. Ethnic groups include the majority Fang, the minority Bubi, and less than 1,000 Europeans, who are primarily Spanish. The majority of the population is nominally Christian, mainly Roman Catholic, but pagan practices are widespread as well. Spanish and French are the official languages.

BACKGROUND

Under Spanish rule since 1885, Equatorial Guinea achieved independence in 1968. Francisco Macias Nguema became the first president, but he soon assumed dictatorial powers. In 1979, Macias was overthrown and replaced by his nephew, Teodoro Obiang Nguema Mbasogo, of the majority Fang ethnic group. He established a military regime and has been in power ever since. He was reelected president for another seven-year term in 1996, in elections that were considered fraudulent by both domestic and international observers.

Although nominally a multiparty constitutional republic, the government is highly centralized, and the president's Democratic Party of Equatorial Guinea (PDGE) controls both the unicameral legislature and the judiciary. The court system includes traditional courts that deal with civil and minor criminal matters. The president controls the security forces and the police through the minister of interior, who is also president of the National Electoral Board.

The country's economy is based primarily on subsistence agriculture, hunting, and fishing. Government officials and their family members dominate these sectors. A small monetary sector exports petroleum, cocoa, and timber. Since 1995, the discovery and exploitation of oil deposits have contributed to dramatic economic growth. However, oil revenues have not been used for the public welfare. Widespread corruption, economic mismanagement, and

human rights abuses have contributed to the suspension of financial aid programs sponsored by the World Bank and the International Monetary Fund.

HUMAN RIGHTS

Citizens do not have the right to change their government through free and fair elections. The February 1996 presidential elections were marred by irregularities and intimidation. Voting was done without secrecy. Opposition parties were denied access to polling areas. There were also reports of opposition party members being beaten, arrested, and jailed before the elections.

Security forces are allegedly responsible for serious human rights abuses. There are reports of extrajudicial killings and deaths under custody. Prisoners have been beaten, tortured, and mutilated. There have been allegations of disappearances of individuals during police raids following protests and revolts on the island of Bioko by the Bubi ethnic group. Authorities apparently authorized and directed these crimes, and did not convict the perpetrators. Police officers and local authorities are allegedly responsible for harassment, intimidation, and the extortion of money. Governmental authorities routinely ignore procedural safeguards regarding detention. Police use arbitrary arrest and detention against foreigners, ethnic minorities, and political activists. Prison conditions are harsh, often life-threatening. There is overcrowding in prisons and a lack of sanitation. The food supply is inadequate.

An AIDS prevention poster. AIDS is one of the leading causes of death in Africa.

The judicial system is corrupt, with judges serving at the pleasure of the president. In addition, judges often do not have legal training. Authorities do not respect provisions regarding legal representation and the right to appeal. Trials are not fair, with defendants' confessions often obtained via torture. Civil cases are rarely conducted in public. Political prisoners are tried before military tribunals. There were reports of defendants not being allowed to testify in cases where capital punishment was a possible outcome.

The government infringes on the citizens' rights by interfering with their privacy, homes, families, and correspondence. Security forces usually conduct searches without warrants. The constitutional provision granting freedom of speech and freedom of the press is not respected. Criticism of the president and security forces is not tolerated. All journalists must be registered with the Ministry of Information, and foreign reporters are regularly escorted by guides from the same ministry. There were reports of arrests and expulsion of foreign journalists from the country. All local publications and the only monthly newspaper practice self-censorship. Only a few foreign newspapers are available.

The government exercises a monopoly over domestic radio and television broadcasting. Prodemocracy opposition parties are denied access to news broadcasting. Foreign cable television is available, but few citizens can afford it. There are no domestic Internet service providers.

Academic freedom is restricted by a lack of infrastructure for higher education. The right to peaceful assembly and to freedom of association, especially the right of workers to form unions, are severely restricted. Strikes are prohibited by law. Membership in the ruling PDGE is considered a prerequisite for employment and promotion. The government controls the country's major employers and sets wages. Abuses of workers' rights are particularly evident in the oil industry, where a government agency keeps about two-thirds of the worker's wages.

Although the constitution prohibits discrimination based on sex, race, and religion, in practice these provisions are not respected. Societal discrimination against women is supported by government policies. Women are traditionally confined to secondary roles in society and have limited educational opportunities. Violence against women, particularly domestic abuse, is a serious problem. The government also shows little or no concern for the welfare and education of children. The constitution does not prohibit discrimination based on disability in employment or education. There is no law mandating accessibility to buildings by the physically disabled.

Ethnic minorities and citizens from neighboring countries face discrimination, and are victims of harassment and violence by the authorities. Since January 1998, political tensions have intensified between the majority Fang ethnic group and the Bubi ethnic minority after the latter led a separatist revolt on Bioko. The Fang-dominated government responded by intensifying its repression of minorities. There were credible reports that the security forces summarily executed an unknown number of people after the revolt. Their bodies were buried in shallow graves in the jungle. Vigilantes of the dominant Fang ethic group arrested members of the Bubi ethnic group, raped women, and exposed many to humiliating and degrading treatment. They looted homes, threw residents' belongings into the streets, and encouraged the public to join in the looting. Authorities did nothing to prevent these abuses or to convict the perpetrators.

The constitutional provision regarding freedom of religion is not respected, and certain religious groups are discriminated against. All religious organizations must obtain legal recognition by the Ministry of Justice and Religion. In particular, the activities of the Catholic Church are restricted. Some priests and members of the Catholic nongovernmental organization Caritas were reportedly harassed or arrested for denouncing human rights abuses, corruption, and social injustice in the country.

Freedom of movement and travel throughout the country and abroad is limited. Local authorities at checkpoints demand bribes from travelers. Opposition members are often victims of arbitrary searches and harassment at roadblocks. They are also denied the right to travel abroad. There have been reports that authorities illegally captured and forced repatriation of its citizens living abroad.

There are no local human rights nongovernmental organizations operating in Equatorial Guinea. In 1992, the government established a parliamentary commission on human rights, but it has been of little or no use. Amnesty International is allowed to visit periodically, but its reports are not acknowledged by authorities. The United Nations Special Rapporteur on Human Rights for Equatorial Guinea has visited the country and has received some government cooperation.

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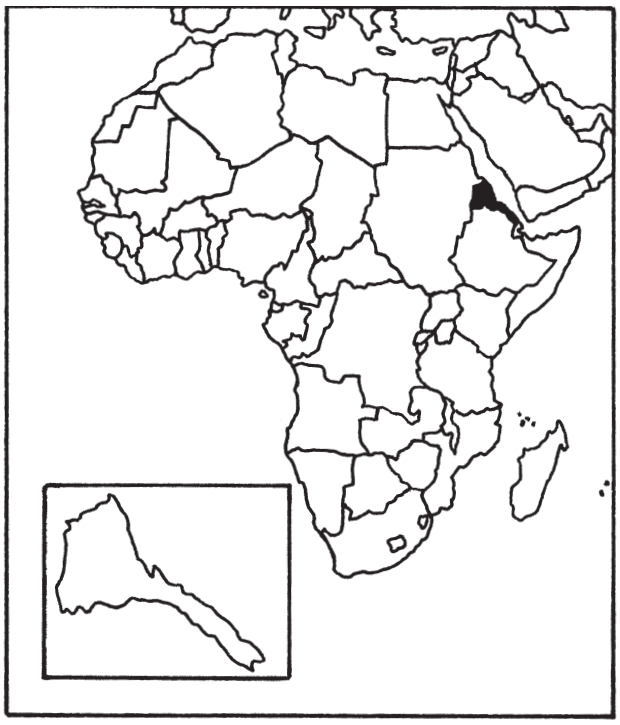
Eritrea



Eritrea is a country in the Horn of Africa, on the southwest coast of the Red Sea. It is bounded on the west and northwest by Sudan, on the south by Ethiopia, and on the southeast by Djibouti. It has a population of approximately 3.75 million. There are nine major ethnic groups, including the Tigrinya and Tigre, who make up four-fifths of the total population. They speak different Semitic or Arabic languages. English is widely spoken as well, especially in academic settings. About 50 percent of the population is Christian, mostly Orthodox, while 48 percent is Muslim, and the remainder hold indigenous beliefs.

BACKGROUND

An Italian colony since 1885, Eritrea became a federate state joined with Ethiopia at the end of World War II. On May 24, 1993, Eritrea achieved independence after a thirty-year war led by the Eritrean People's Liberation Front (EPLF) against Ethiopia. Its leader, Isaias Afwerki, continues to be the president of the Provisional Government of Eritrea. The EPLF has established itself as the sole political party, changing its name to the People's Front for Democracy and Justice (PFDJ). Eritrea is still in the process of establishing a permanent government. A new constitution was promulgated in 1997, but has not yet been implemented. New general elections were scheduled for the year 1997, but they were delayed and indefinitely postponed following an outbreak of conflict at the Ethiopian border. In addition, Sudan's attempt to spread Islamic fundamentalism to neighboring countries since 1993 has increasingly forced Eritrean military forces to deal with terrorist attacks organized by Eritrean Islamic Jihad, a Sudan-based insurgent group.

The present government provides for the separation of powers. The legislature, the National Assembly, holds the highest legal power until the establishment of a democratic, constitutional government. The ministers of the cabinet and the president hold the executive power that is accountable to the National Assembly. The judiciary is independent.

Eritrea is a member of the Organization of African Unity (OAU), and maintains a close relationship with the United States, Italy, and other European nations, which have become important aid donors. It has also close relations with Ethiopia, its largest trading partner, and with Uganda.

Eritrea's economy is slowly recovering from the devastating effects of the independence war, which left the country in extreme poverty. The development process aims to replace a centrally planned economy with a free market and privatization. Agriculture remains the main source of employment; nevertheless, it accounts for only a small percentage of the gross domestic product (GDP). Instead, trade, services and manufacturing provide the greatest portion of the GDP. Eritrea has obtained international economic assistance for several development projects.

In May 1998, a war broke out with Ethiopia that continued into the middle of 2000. Although, as of this writing, the fighting has stopped, tensions between the two nations remain high.

HUMAN RIGHTS

Although the constitution, as ratified by a constituent assembly, provides for human rights and freedoms, Eritreans are still denied a few basic rights. Citizens are not able to change their government in a multiparty election, because the transition to democracy has not been yet fulfilled. The PFDJ currently dominates the government and proposes that public education and institutional structures have to be implemented before multiparty elections can be held.

Civilians have been killed or injured as a result of the conflict with Ethiopia. No extrajudicial killings were officially reported; however, the Ethiopian media allege that several Ethiopians living in Eritrea were killed or have disappeared.

In June 1998, an air strike on the airport of Asmara made by the Ethiopian military forces killed one civilian. Eritrean soldiers were reportedly responsible for raping Ethiopian women or physically abusing Ethiopian nationals, and for conducting improper searches and for detaining diplomats after the air strike. Police officers often harass or mistreat people, especially Ethiopians.

Pretrial detention often exceeds the time accorded by the penal code. There are reports that four Jehovah's Witnesses have been detained without charge for more than four years. In addition, several suspected collaborators of the previous regime and other terrorist organizations, or supporters of the Ethiopian conflict, are being held in detention without formal charge. Prison conditions are harsh, and the government does not allow prisoners to have visitors or to correspond with their family or friends.

The still-developing judiciary is weak and inefficient due to untrained personnel, inadequate funding, and poor infrastructures. In rural areas, citizens rely on traditional village courts for civil matters. There were press reports that in 1997, special military courts had tried 2,431 civilians with no defense lawyers and no right to appeal. Although fewer in number, many criminal cases also were handled by military courts during 1998.

The government restricts the freedom of speech and freedom of the press of its citizens. It controls all the media and has the power to ban foreign publications. The media practices self-censorship. As of the end of 1998 there were eleven independent newspapers and magazines. However, the government does not allow private ownership of any broadcast media. The Ministry of Information requires that all newspapers obtain a license and that reporters register under its authority. The Ministry of Internal Affairs has the power to arrest or detain people for expressing inappropriate views in public. There are reports of people arrested for criticizing the government. Ac-

Ethiopian prisoners of war, casualties of Eritrea's war of independence, August 1993.

cess to the Internet through government telecommunication systems is limited.

Academic freedom is restricted as well. The government controls the administration and the research activities of the University of Asmara.

The government limits the right of peaceful assembly and the freedom of association of ethnically or religiously based parties. Unions are encouraged; the National Confederation of Eritrean Workers is independent from the government and receives assistance from the International Labor Organization in resolving complaints of discrimination. The law does not prohibit forced labor; however, it is not known to occur.

The government generally enforces the law prohibiting discrimination based on sex, race, religion, disability, or social status. However, a few problems persist. Despite the government's effort to improve women's status, Eritrea remains an essentially patriarchal society. In practice, women have less access to education, employment, and career opportunities than do men. Although strongly discouraged by the government, the practice of female genital mutilation is widespread and estimated at 95 percent.

Children's welfare is under the responsibility of the Children's Affairs Division, which is committed to providing childcare,

counseling, and probation. However, about 50 percent of the children in the country are unable to attend school because of a lack of the funding needed to increase the number of schools and to train teachers.

Discrimination based on religion is a problem. The government itself restricts freedom of religion in order to safeguard the delicate balance between Muslims and Christians. Foreign religious groups and non-governmental organizations are denied the right to proselytize. Members of the small community of Jehovah's Witnesses continue to be persecuted in the form of economic, employment, and travel restrictions.

The government generally cooperates with the United Nations High Commissioner for Refugees in providing assistance to refugees and asylum seekers. However, progress is slow in the repatriation of more than 150,000 Eritreans in Sudan who wish to return.

There are no domestic or international human rights organizations operating in the country. The government restricts the activities of non-government organizations that support health and education. The Ministry of Foreign Affairs and the Ministry of Internal Affairs handle cases of human rights abuses. In 1998, the International Committee of the Red Cross was allowed to open an office in the country. It is granted limited visits to detainees and prisoners of war.

The years 1998 to 2000 have been dominated by a bloody border war with Ethiopia. Both sides in this conflict have been accused of numerous human rights violations. Compared to many combatants in African wars, Eritrea has treated its Ethiopian prisoners tolerably well, but many of them have suffered from needless crowding, shortages of food, and abusive treatment. Eritrea has never signed the Geneva Conventions on the conduct of war.

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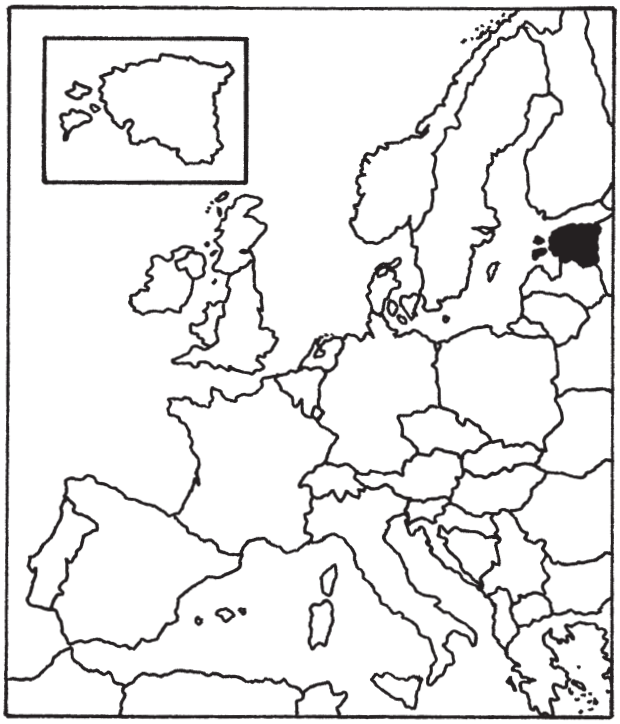
Estonia



The Republic of Estonia is situated in northern Europe. It is bounded on the east by Russia, on the south by Latvia, and on the north and west by the Baltic Sea. Its population of approximately 1.5 million includes Estonians (64 percent), Russians (29 percent), Ukrainians (3 percent), and Belarussians (1.5 percent). Estonian is the official language, although Russian is widely spoken as well. The majority of the population is Lutheran, with the remainder Russian Orthodox and Baptist.

BACKGROUND

After fifty years of Soviet occupation, Estonia declared full independence following a plebiscite in 1991. In September 1991, the Soviet government and Western nations recognized Estonia as an independent state. In August 1994, the remaining armed forces of the Russian Federation withdrew from Estonia.

In 1992, a new constitution approved by popular referendum established a parliamentary democracy with a president as the head of state and a prime minister as the head of government. The unicameral legislature is the highest organ of state authority for approving legislation. The judiciary is independent. A new penal code will be implemented in the year 2000 to fully comply with Western European standards. Domestic and international observers considered the Estonian elections to be free and fair.

After decades of integration into the Soviet centrally planned structure, Estonia's economy is growing steadily, moving toward complete privatization and a free market in line with the West. Economic cooperation with the United States has increased its trade with Western markets, which now comprise two-thirds of Estonian export targets. Financial business and tourism have replaced the once prominent food production and light industry in importance. Per capita gross domestic product is estimated at $3,140. The unemployment rate is relatively low (about 8 percent), although it is reportedly higher in rural areas.

Estonia has been a member of the United Nations (UN) since 1991. It is also a signatory to a number of UN organizations. Other memberships include the Organization on Security and Cooperation in Europe, Partnership for Peace, the North Atlantic Coordinating Council, and the Council of Europe. Estonia also seeks fur-

Election in northern Estonia.

ther integration with North Atlantic Treaty Organization (NATO), the European Union (EU), and other Western organizations.

HUMAN RIGHTS

Estonians enjoy extensive human rights and freedoms. The government generally enforces these rights. In 1997, the Council of Europe ended its mission of human rights monitoring in Estonia. In May 1998, President Lennart Meri announced his plans to form an international commission to conduct research on human rights abuses and crimes perpetrated in Estonia during the Soviet occupation.

Problems persist in a number of areas. The process of transforming the Soviet-style militia into a police force is still under way, and the lack of resources and trained personnel create serious problems. Police and correction personnel have committed a number of human rights abuses. There were reports that police beat and mistreated prisoners to extract confessions. Prison conditions are also poor. Despite improvements designed to meet international standards, prisons remain overcrowded, and lack sanitation and proper infrastructure.

The government respects freedom of speech and freedom of the press. However, the law does not provide for freedom of information. Journalists and parliamentarians rejected the first government law proposed in this area because it too vaguely defined official information, and because it granted officials the right to withhold official information.

Although the constitution prohibits discrimination based on sex, in practice,

women still do not benefit from equal treatment. Women's average pay for equal work is lower than men. Some professions continue to be male dominated. Violence against women, including domestic abuse, is a serious problem, especially in rural areas.

The government has shown a real commitment to the welfare of children, particularly in public education, which is compulsory until age sixteen. However, there are also reports of child sexual abuse and prostitution. Additionally, the law does not explicitly prohibit forced and bonded labor by children. There have been reports of families forcing their children to beg or peddle.

People with disabilities do not benefit from a public access law, and are not fully accepted in society. There have been allegations of discrimination, predominantly against ethnic Russians, in employment, salaries, and housing, because of Estonian language requirements. There are also complaints about the slow processing of approximately 19,000 residence applications made by Russian military pensioners. Some complaints have also been filed with regard to delays in obtaining travel documents for non-citizens.

Estonia operates in conformity with the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol, and assists refugee or asylum seekers. Human rights organizations are allowed to freely investigate and publish their findings. In addition, the government established the Human Rights Institute, whose functions range from investigating human rights violations to providing information to the international community.

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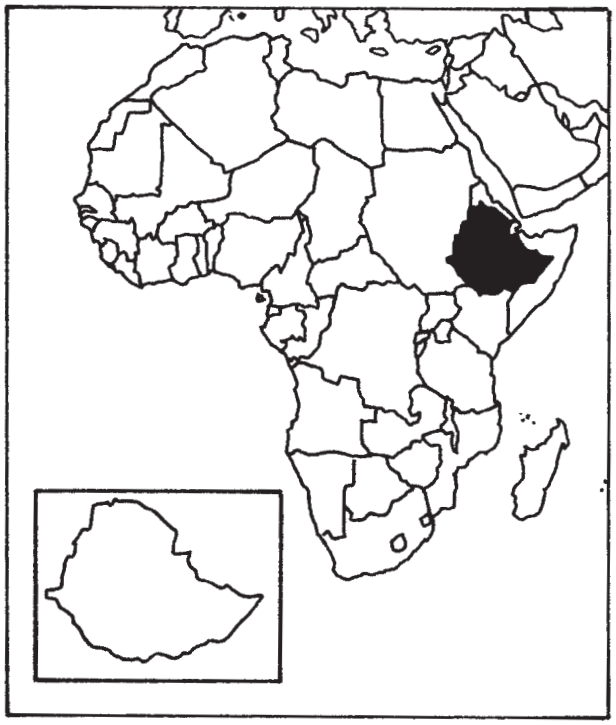
Ethiopia



The Federal Democratic Republic of Ethiopia is located in eastern Africa, bordering Somalia, Kenya, Sudan, Djibouti, and Eritrea. The population is approximately 60 million and is divided between a dozen major ethnic groups. The largest ethnic groups are the Oromo (40 percent) and the Amhara (32 percent). Its capital is Addis Ababa. It was unique among African countries in that, aside from an Italian occupation lasting from 1936–1941, the ancient Ethiopian monarchy maintained its freedom from European colonial rule. In 1974, a military junta known as the Derg deposed Emperor Haile Selassie, who had ruled since 1930, and established a socialist state. The regime was beset by coups, rebellions, a widespread draught, and massive amounts of refugees, and was finally overthrown by the Ethiopian People's Revolutionary Democratic Front (EPRDF) in 1991. Ethiopia adopted a constitution in 1994 and held its first multiparty elections in 1995.

Ethiopia's ongoing border dispute with Eritrea has drained Ethiopia's economic resources. Each side in the dispute accuses the other side of committing human rights violations. Heavy fighting between Ethiopia and Eritrea broke out in February 1999, breaking a three-month lull. More than 300,000 Ethiopian soldiers were deployed to the contested areas. As of late 2000, a ceasefire exists between Ethiopia and Eritrea.

HUMAN RIGHTS

Ethiopia's human rights record is generally poor, although it has shown initiative in some areas. There have been a number of extrajudicial killings. In November 1999, security forces opened fire into a crowd of protesters. Ten people were killed. The government's actions in the border war with Eritrea have resulted in the deaths of civilian bystanders. Ethiopian military forces have bombed and shelled Eritrean villages, resulting in the deaths of a number of people. The government has also provided financial support to Eritrean opposition groups, whose land mines have claimed civilians within the borders of Eritrea. Similarly, Eritrea has given support to opposition groups operating within Ethiopian borders. These groups have laid land mines and conducted numerous hit-and-run attacks. Soldiers and combatants have been killed as a result of these activities.

In 1997, the federal High Court in Addis Ababa initiated legal proceedings against 5,198 people accused of genocide under the previous regime. Of the 5,198 charged, 2,246 are currently in detention, and the rest have been charged in absentia. In November 1999, the High Court handed down the first death sentence for one of the accused, a former district governor and army lieutenant convicted of executing five opponents of the Derg regime.

The new constitution prohibits the use of torture and abuse; however, there were credible reports that security forces engaged in such practices. Prison conditions are poor and overcrowded. Procuring food is difficult, and many inmates rely on family members or their own funds to purchase food. Visitors are permitted. Women and men are housed separately, and rape does not appear to be a problem. The government allows the International Committee of the Red Cross (ICRC) and other organizations to monitor prison conditions, although one ICRC delegation was denied access to the Central Investigation Division prison facility in the capital, which holds an estimated 200 people.

Under Ethiopia's Criminal Code, all detained persons must be charged, informed of the charges, and in most cases offered release on bail within forty-eight hours of arrest. Those persons suspected of committing a serious offense may be held for fifteen days while the police investigate, and this period can be extended in fifteen-day increments should the investigation demand it. The government often detains persons without a warrant and does not charge them within the required forty-eight-hour period. Thousands of people remain in prison without having been charged, and most of these have been accused of terrorist activities.

Ethiopia's legal system is weak, overtaxed, and suffers from a lack of trained personnel and financial resources. The new constitution introduced a new court structure in which the federal High Court and Supreme Court hear cases involving federal law, regional issues, and national security. The regional courts function as circuit courts, with their own structure reaching down to the local level. According to the constitution, detainees have the right to a speedy trial, but because of the judiciary's strained resources, many are detained for long periods of time before their trials; there have been instances of closed proceedings; and some detainees were allowed little or no contact with their legal counsel.

Although the law requires authorities to obtain search warrants, in practice they are seldom obtained outside of Addis Ababa.

The government continues to violate the freedoms of speech and the press. The government has prosecuted journalists and editors for the content of their articles, and some journalists practice self-censorship. The private press in Ethiopia is very active, and, at times, very critical of the government. Ethiopia has a Press Law, which prohibits the publication of false information. There were eight journalists in prison at the end of 1999. In April, Samson Seyoum, the former editor-in-chief of the now-defunct weekly newspapers, *Agere* and *Tequami,* was sentenced to four and a half years in prison for incitement to war and attempting to spread Islamic fundamentalism. He has been detained without trial since 1995. In August 1999, he was released pending appeal of his trial.

Despite the government's attempts to discourage anti-government material, private publications continue to publish false information and unsubstantiated rumors about the government. Foreign journalists

operate freely within Ethiopia and are usually granted greater access to government officials than are local journalists.

Large public meetings and demonstrations must be registered with the government. Although no groups have been denied the necessary permits, there have been long delays in granting permission. The Coalition of Ethiopian Opposition Political Organizations held a rally in January 1999 to announce and publicize their political agenda, but they were not granted their permit until the day before their scheduled event, which, they claim, greatly reduced the number in attendance. In November 1999, student demonstrations in support of two teachers who had been arrested for criticizing textbooks were dispersed violently when police fired into the crowd, killing ten and injuring hundreds. As many as a thousand demonstrators were arrested. In November, students of the Nuer ethnic group held a demonstration demanding the use of Nuer language in schools. One month later, twenty-six of the alleged instigators of the event were arrested and charged with inciting the Nuer students to demonstrate.

Local authorities infringe on the right to freedom of religion. The government requires that all religious groups be registered. There were some instances of strife among religious groups, most notably between Orthodox Christians, evangelicals, and Pentecostals. While some Pentecostals had complained in years past of inadequate police protection, there were no such complaints in 1999. The constitution stipulates the separation of church and state, and the government has interpreted this to mean that there can be no religious teaching of any kind in any school, public or private.

The constitution provides for freedom of movement of Ethiopia's citizens, but the government restricts this right in practice. Citizens of Eritrean origin have been subject to deportation since the start of the war with Eritrea. By the end of 1999, approximately 67,000 people had been forced to leave Ethiopia for Eritrea. The law requires all citizens to obtain an exit visa before leaving the country. Ethiopians of Eritrean origin have been allowed to leave, but often have been barred from returning.

Ethiopia was hosting 261,661 refugees at the end of 1999, most from either Somalia or Sudan. The government cooperates with the United Nations High Commissioner on Refugees in settling these refugees into camps. The government treats asylum seekers according to international law.

Marital rape and wife beating are pervasive social problems. Women do have recourse to the police and the courts, but societal norms prevent many women from seeking legal redress. Many women are not aware of their legal rights in such situations. Domestic abuse alone is not sufficient legal reason for a woman to seek divorce. Women are discriminated against in matters of divorce and property. In cases of divorce, irrespective of the number of children, women are entitled to only three months of financial support. Many women are abandoned along with their families. Although outlawed, women and girls are abducted and forced into marriage in some regions of Ethiopia.

In 1997, the government introduced an initiative, called the National Program of Action, to enhance the opportunities of women in the workplace, improve access to health care, and educate women about the dangers of some traditional practices, such as early marriage. The Penal Code has been updated to include stronger penalties for rape, domestic violence, and child abuse. But despite these efforts on the part of the government, traditional values still hold

sway over the popular view of marriage and women's role in society.

The government has encouraged non-governmental organizations (NGOs) to lend their support to improve conditions for children. Officials have provided free transportation to NGO outreach events. The government is limited in its ability to adequately provide for children's health, social, and legal needs. Nationwide, only 52 percent of male children and 31 percent of female children attend primary school. Societal abuse of young girls continues to be a problem. An estimated 72 percent of Ethiopian women have undergone female genital mutilation, a practice widely condemned by international health organizations. This is a decrease from 1990 levels, which was estimated at 90 percent of the female population. The law does not prohibit this ritual, although the government officially discourages the practice, and has been supportive of international agencies working to educate women about its dangers.

Ethiopia has maintained an open attitude about human rights and has shown its willingness to work with and allow international and domestic human rights organizations to operate freely. The ICRC has been able to gain access to most police facilities and has also been allowed to escort deported ethnic Eritreans across the frontier into Eritrea. The government encourages human rights groups and other NGOs to observe the war crimes tribunal that in 1984 began to punish war criminals from the Derg regime.

Eric Busch

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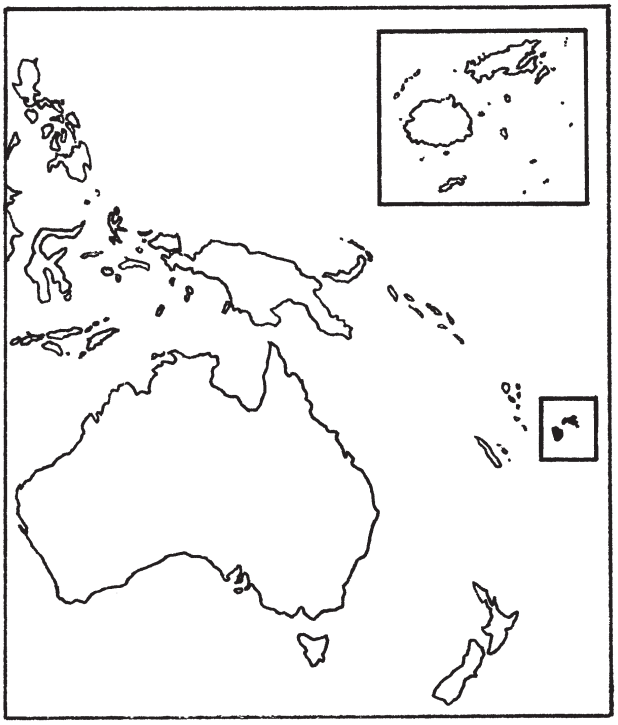
Fiji



The Republic of Fiji consists of 844 islands and islets in the southwest Pacific Ocean. The capital city is Suva. Its population of approximately 812,000 is composed of Fijians (49 percent), South Asians, mostly Indians (46 percent), and others (Europeans, Chinese, and Pacific Islanders). The main religious denominations are Christian (52 percent), Hindu (38 percent), and Islam (8 percent). English is the official language, but Fijian is widely spoken as well.

A British colony since 1874, Fiji became a sovereign nation within the Commonwealth in 1970. Fiji is a parliamentary democracy. The executive power is held by the president, the prime minister, and the cabinet. The president is appointed by the Great Council of Chiefs, which is composed of ethnic Fijians. Since 1997, the constitution allows different ethnic groups to be represented in the bicameral Parliament. Elections occur every five years. The judiciary is independent.

The Fijian economy is mainly based on sugar refining, tourism, garment manufacturing, gold, fishing, lumber, and small industries. Fiji receives financial assistance from the United States, the United Kingdom, Japan, and other Western countries. In general, the Fijian economy provides a high standard of living.

Fijians enjoy a variety of human rights and freedoms. Nevertheless, a few problems persist in some areas. In 1998, there were a few reports of police abuse of detainees. However, the authorities convicted the officers responsible for these violations. The law allows corporal punishment for crimes, but it is rarely used.

Freedom of speech and freedom of the press is granted by the constitution and the government respects it in practice. However, the government restricts open criticism of the constitution or other political issues. On some occasions, the government has criticized the media for undermining the reputation of the authorities. In addition, there were credible reports that some members of the cabinet tried to interfere with the autonomy of the press. The media practice self-censorship. In August 1998, the government asked all foreign diplomats to submit their speeches to be reviewed by the authorities.

The government does not always grant permission for large political rallies.

Although the constitution grants freedom of religion, there were allegations of police

officers violating Hindu temples. The amended constitution forbids discrimination based on political opinion, sex, color, race, or creed. In 1998, reports show that about 10 percent of women have been abused in some way. There are private shelters for women in the major cities that provide counseling and assistance to female victims of violence.

The government is committed to children's rights but the resources for protecting children are limited. There are reports that corporal punishment is still practiced in schools and private homes. Education is not mandatory. Child labor provisions are not enforced.

The law does not grant rights to people with disabilities. However, there are small voluntary organizations providing services to the disabled.

One of the most significant problems remains discrimination against ethnic groups, particularly against Indo-Fijians. The government continues to protect indigenous Fijian interests to the disadvantage of other communities. Fijian nationalists have attacked ethnic Indians, burning their homes and businesses, and sometimes murdering them. While the government prosecutes some of those accused of these crimes, human rights advocates say that far too little is being done. A recent unsuccessful attempted coup by native Fijians was directed toward limiting the power of ethnic Indians.

The law forbids forced labor. Nevertheless, there are allegations that forced labor is still practiced in some plantations in the more remote islands of the Republic.

The government generally cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations. There are no local organizations that focus solely on human rights issues. Women's rights groups, the labor movement, and several political groups advocate and promote human rights.

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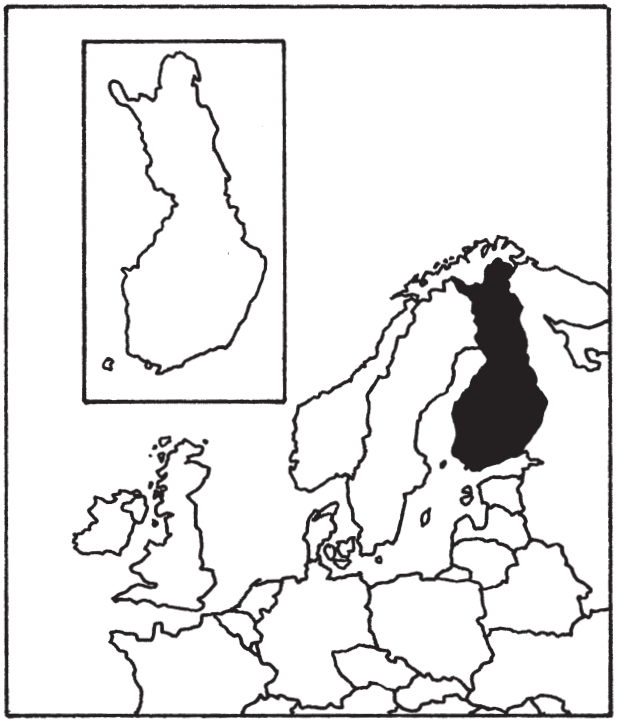
Finland



The Republic of Finland is located in Scandinavia. It is bounded on the north by Norway; on the east by Russia; on the south and west by the Baltic Sea; and on the northwest by Sweden. It has a population of approximately 5 million. The official languages are Finnish and Swedish; Finnish is the most widely spoken. Lutheran and Eastern Orthodox are the main religious denominations.

Finland achieved independence from Russia in 1917 and was recognized as an independent republic in 1919. Its new constitution was proclaimed in 1929. The president is the head of state and shares executive powers with the prime minister, who holds office as long as he receives the vote of confidence of the Parliament. Elections are held every four years by universal suffrage to elect the 200 members of the unicameral Parliament. The independent judiciary is organized in a system of local courts, regional appellate courts, and the Supreme Court.

Finland joined the United Nations (UN) in 1955 and the European Union in 1995. It is also a member of the North Atlantic Treaty Organization's (NATO) Partnership for Peace, as well as an observer in the North Atlantic Cooperation Council and the Western European Union. It actively participates in the Organization for Security and Cooperation in Europe.

Finland has an industrialized economy based on forestry resources, technology, and capital investment. After a deep recession in the early 1990s, its entry into the European Union, as well as its cooperation with other Scandinavian countries, helped stabilize the country's economy.

HUMAN RIGHTS

Citizens are provided with an efficient social welfare system, and enjoy all individual and political rights and freedoms. In 1999, there were no large-scale reports of violations of basic human rights. However, problems still persisted in some areas.

Women were still underrepresented in top management jobs and in the ministries of government, and tended to occupy lower paying sectors of the economic life. Since 1985, the government has worked to implement plans aimed at promoting women's equality. Among its programs, the govern-

ment has tried to integrate women's perspectives into its activities at the UN and the Council of Europe.

Violence against women was reported as still being a major problem. A study concluded that 40 percent of women over fifteen years of age were still victims of some form of domestic abuse. Family violence, often alcohol-related, was also reported with regard to children and elderly people. The Union of Shelter Homes helped publicize this problem by exposing many previously underreported cases of family violence.

The law grants people with disabilities the right to access public buildings. However, many buildings still remain inaccessible to them. The law does not regulate public transportation accessibility for the disabled.

Despite the government's efforts to promote tolerance and combat racism by means of legislative initiatives, concern has been expressed over episodes of racism and xenophobic behavior. In particular, discrimination against foreigners, and tensions between the Finnish-speaking majority and the Swedish-speaking minority, still persist.

Finland cooperates with the United Nations High Commissioner for Refugees. It also supports humanitarian organizations and cooperates with human rights groups.

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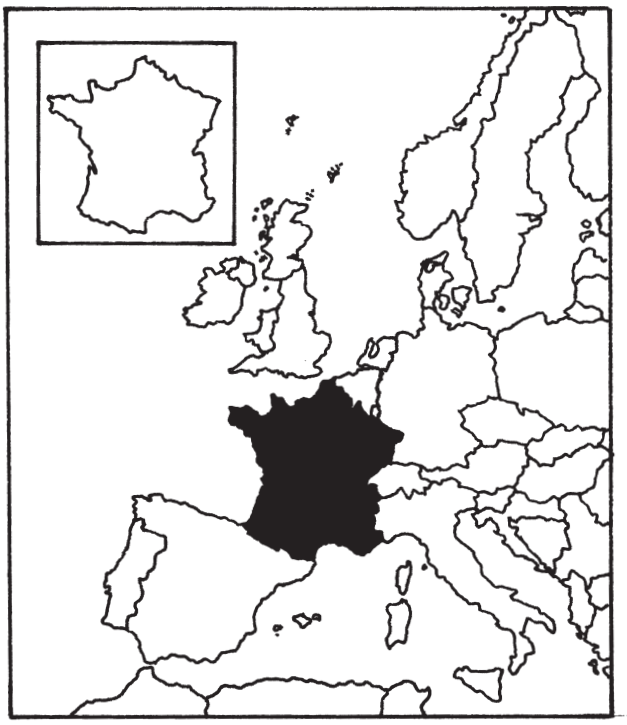
France



The French Republic is located in western Europe. It is bounded on the northeast by Belgium and Germany; on the east by Germany, Switzerland, and Italy; on the south by the Mediterranean Sea; on the southwest by Spain and Andorra; and on the west by the Atlantic Ocean. It has a population of approximately 58 million. French is the official language. Roman Catholicism is the major religious denomination (90 percent), and Protestants and Muslims represent small minorities.

BACKGROUND

During World War II, France was under German occupation until 1944, when it was liberated by the Allies. For a short period after the end of the war, France was governed by General Charles de Gaulle's provisional government, which was followed by the Fourth Republic and a new constitution. De Gaulle became prime minister in 1958, and was later elected president of the Fifth Republic. France is a member of the United Nations (UN), as well as a prominent member of the European Union.

The constitution of the Fifth Republic was approved by national referendum on September 28, 1958. The president of the republic and the prime minister share executive power. The president is elected every seven years by direct vote. The president appoints the prime minister, presides over the cabinet, commands the armed forces, and concludes treaties. In national emergencies, the president can assume full powers. The National Assembly and the Senate constitute the legislative bodies. However, the Senate has limited legislative powers. In the event of disagreement between the two houses, the National Assembly has the last word. The National Assembly is elected every five years by direct vote. Senators are chosen for nine-year terms, although these terms are staggered so that one third of the Senate is elected every three years.

The judiciary is efficient and independent. The two most distinctive features are the Constitutional Council, which considers only legislative matters, and the Council of State, which provides recourse to citizens with claims against the public administration.

France has one of the West's largest industrialized economies. It has substantial agricultural resources, as well as a large industrial base and a skilled labor force. In

January 1999, France joined ten other European Union countries in adopting the euro as its currency. Currently, its monetary policy is set by the European Central Bank in Frankfurt. The government controls large portions of the French economy by owning shares in many corporations in areas such as banking, energy production and distribution, automobiles, transportation, and telecommunications. France is one of the most successful countries in developing telecommunications, aerospace technology, and weapons. It relies heavily on nuclear power for its electricity sources.

HUMAN RIGHTS

In general, France provides reasonable protection of its citizens' human rights. There are, however, areas where human rights are abused.

Despite extensive constitutional and statutory safeguards, the French police are frequently guilty of human rights abuses. As recently as 1998, for instance, there were reports of the excessive use of force by police officers against immigrants, which, in some cases, resulted in death. There were also reports of abuses by prison guards against prisoners. In July 1997, the United Nations Human Rights Committee expressed disappointment and concern regarding the excessive use of force by the police. In addition, the European Committee for the Prevention of Torture criticized the mistreatment and poor conditions of detainees in police stations. Persons of North African and African origins filed most of the complaints of alleged police abuse. In January 1998, a draft law was introduced to create the Superior Council on Ethics and Security to oversee the implementation of codes by the local police and federal police.

The inadequacy of cells in police stations is well documented. In many cases the cells lack adequate light, sleeping space, blankets, and meals. Regular prison conditions usually exceed minimum international standards, although cases of brutality—particularly against African prisoners—are common.

Three hundred would-be immigrants seeking refuge in a Paris church. Police later stormed the church, arresting some of the refugees.

The judiciary is able to provide citizens with fair and efficient trials. Nevertheless, the judicial system has often been criticized for not being able to process cases quickly. Some suspects spend many years in prison before their trials. According to a recent report by the International Observer of Prisons, about 40 percent of the inmates are awaiting trial.

The government grants asylum to those who make formal request for such status. However, the United Nations Human Rights Committee has expressed its concern about the long delays in clearing such procedures in airport waiting areas. Observers do not usually have access to those areas.

Women are still underrepresented in politics. However, in order to increase women's participation in politics, a few parties have established specific quotas in electoral lists. Rape represents a serious problem. There were 6,540 reported cases of rape or sexual assault on women in 1995, and more than 15,700 cases of wife beating in 1993. The government provides shelters, assistance, and hotlines for battered women. In addition, sixty such private associations operate in the country. There have also been cases of foreign women forced into prostitution after being promised attractive jobs. And, in recent years, police discovered a Paris-based network that was forcing African women into prostitution. Women are still paid 22.5 percent less than men for equal employment. Recent statistics also show that 80 percent of persons earning less than $650 per month are female.

Despite very strict laws against child abuse, there were 20,000 cases in 1995, 5,500 of which involved sexual abuse. The government provides counseling, financial aid, foster homes, and orphanages to abused children. Special branches of the police are assigned to deal with child abuse. There are also many private organizations helping minors seeking justice in cases of mistreatment by parents.

In 1991, a new law was issued requiring new buildings and public transportation to be accessible to people with disabilities. Despite this law, however, most buildings and public means of transportation are not yet accessible to disabled people.

There are some cases of attacks against ethnic minorities. The reported cases usually involve skinheads and those affiliated with right-wing political groups. The number of attacks against minorities has been on the decrease in recent years. On the other hand, many companies continue to deny employment to North Africans. A new law passed in 1997 grants citizenship to all children born in France.

French law grants freedom of association to all workers. Although they represent less than 10 percent of all workers, unions have considerable political and economic influence, and play a legal role in the administration of social institutions. The freedom to strike is granted to all workers, but can be denied whenever it threatens public safety. Most strikes usually affect state-owned companies. The law prohibits children under the age of sixteen from being employed. In addition, minors under the age of eighteen are forbidden from working at difficult jobs or from working between 10:00 P.M. and 5:00 A.M.

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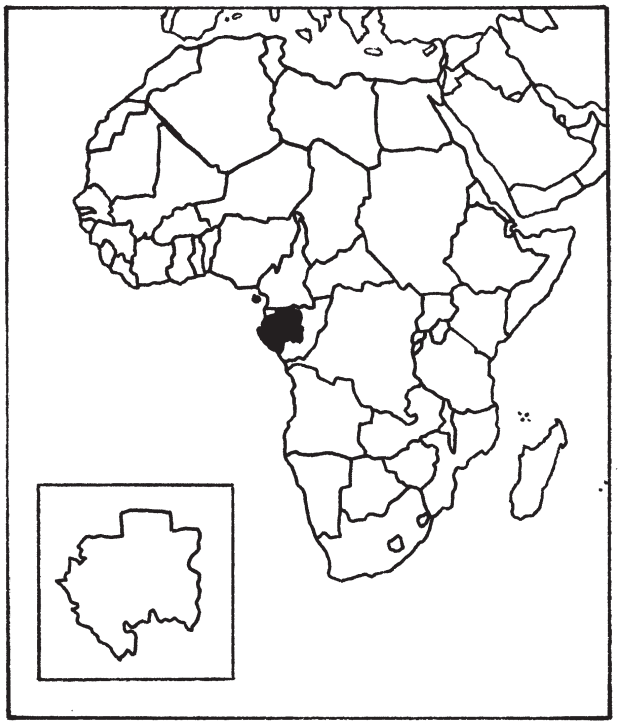
Gabon



The Gabonese Republic is situated in central Africa. It is bounded on the north by Cameroon; on the east and south by Congo; on the west by the Atlantic Ocean; and on the northwest by Guinea. Libreville is the capital city. It has a population of approximately one million, of which about 12,000 are French. There are approximately forty tribal groups of Bantu origin and 3,500 Pygmies living in the country; they speak different languages and maintain separate cultures. French is the official language.

BACKGROUND

An important center for slave trade since the sixteenth century, in 1910 Gabon became a French colony and one of the four territories of French Equatorial Africa. In 1960, independence was achieved.

In 1961, Gabon adopted a constitution that was theoretically democratic with a presidential form of government, but which was actually ruled as a one-party state. The first multiparty elections were not held until 1991. In October 1994, following a period of civil unrest and violent repression of dissenters, the president and his supporting parties and the opposition parties negotiated the Paris Accords to ensure the inclusion of opposition leaders in the government and greater respect for human rights. However, the 1997 elections were marked by organizational frauds. In December 1998, President El Hadj Omar Bongo was reelected for a seven-year term, with his supporting party occupying two-thirds of the seats in the National Assembly. The opposition has called for the annulment of the election.

The president is the head of state and retains strong executive powers including the authority to dissolve the National Assembly and to declare a state of siege. The president can submit proposed laws, and he appoints the prime minister as the head of government, the members of the cabinet, and the judges of the independent judiciary. The legislature is divided into the National Assembly, whose 120 deputies are elected by universal suffrage every five years, and the Senate, whose members are indirectly elected.

Gabon's economy is based primarily on the export of its abundant natural resources, including petroleum, manganese, uranium, phosphates, and wood. The oil sector accounts for 50 percent of the GDP. However, the income from these exported

products is unevenly distributed, and a large proportion of the population remains poor. Poor financial management and corruption have damaged the economy, with resulting domestic and external debt. Although Gabon is moving toward privatization, the formal sector is mostly state-owned. Legal and illegal immigrants from West Africa dominate the informal sector.

HUMAN RIGHTS

The constitution of Gabon provides human rights and freedoms to the Gabonese, and the government generally respects those provisions. However, human rights abuses continue to be practiced in some areas.

Security forces reportedly beat prisoners or detainees in custody as a means of punishment or to obtain confessions. Prison conditions are harsh and, in some cases, life threatening. Prisons are overcrowded, and lack proper sanitation facilities and medical care. Prisoners are not adequately fed.

Pretrial detentions are lengthy and the police do not respect the constitutional provision requiring a detainee to be charged before a judge within forty-eight hours from the time of the arrest. In principle, the judiciary is independent; however, it remains under the pressure of the executive, particularly in state security trials. In the past, there were reports that judges willingly provided search warrants to be used by the government against opposition leaders and their families.

The government interferes with citizens' privacy by monitoring their movements, their telephone conversations, and their personal mail. Freedom of speech and press are generally respected. The government controls the only daily newspaper and the national electronic media. Other periodicals and weekly magazines represent independent views and other political parties, and they often criticize the government. International broadcasters are free to air their programs. However, in 1998, a few journalists were arrested and sentenced to prison from one to eight months under the charge of defamation. One opposition newspaper was closed and another was suspended. Local organizations and the political opposition claimed that the incarceration of the journalists and other events were the result of the government's effort to control the media prior to the December 1998 presidential election.

In practice, citizens are not free to change their government, because legislative and presidential elections have been marred by irregularities in the past ten years. Despite the establishment of an independent National Electoral Commission in 1995 (whose electoral functions were recently transferred to the Interior Ministry), inaccurate electoral lists, alterations of documents, and fraudulent vote counts continued to take place, during the 1997 legislative elections and the 1998 presidential elections.

The government does not enforce constitutional provisions against discrimination based on sex. Although women have equal access to education and employment, and participate in politics, they are still victims of societal abuses, especially in domestic affairs and property matters. They are limited in their right to medical or legal assistance. Domestic violence against women is common in rural areas and remains unpunished. By law, women need their husband's permission to travel abroad. In addition, the law does not explicitly provide against abuses such as female genital mutilation.

The government does not protect children's welfare. UNICEF has expressed great concern over the exploitation of expatriate children in the labor market. In general, the

government does not enforce constitutional provisions regarding the labor code in sectors where the labor force is not Gabonese.

The law does not prohibit discrimination against people with disabilities.

Ethnic favoritism in employment and career is widespread. The Pygmies are not represented in government; they live in isolation and do not benefit from governmental programs or assistance. Members of the security officers reportedly harassed African immigrants legally working in the country by extorting bribes or demanding services with the threat of confiscating their residence documents.

The government generally cooperates with the United Nations High Commissioner for Refugees in providing assistance to refugees or asylum seekers. However, human rights groups are restricted in their activities. Human rights monitors are not allowed to visit prisons. In October 1998, the immigration police arrested three non-governmental organization workers who came from Togo to monitor the pre-election process.

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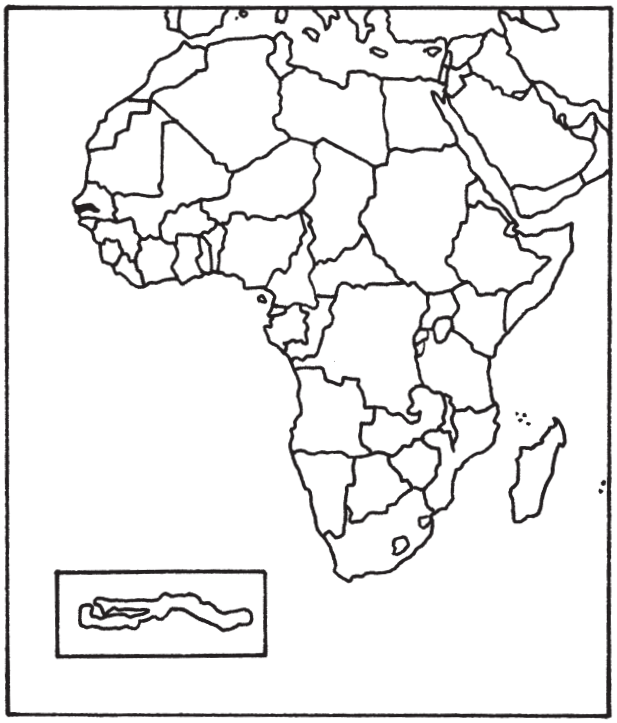

The Republic of the Gambia is situated in West Africa, bordering Senegal and the Atlantic Ocean. Banjul is the capital city. Gambia's population of 1.3 million includes a variety of ethnic groups, each preserving its own language and traditions. The largest tribe is the Mandinka (42 percent), followed by the Fula, Wolof, Jola, and Serahuli. Europeans and people of Lebanese descent comprise 1 percent of the population. Approximately 90 percent of the population is Muslim, while most of the remainder are Christian of different denominations. English is the official language.

BACKGROUND

A former British colony, Gambia achieved independence in 1965, becoming a constitutional monarchy within the British Commonwealth. In 1970, Gambia became a republic following a national referendum. However, a military coup organized by the Armed Forces Provisional Ruling Council (AFPRC) suspended the 1970 constitution and deposed the government. In September 1996, Yahya A.J.J. Jammeh, former chairman of the AFPRC, was elected president in what were considered fraudulent elections. He currently rules the country. In January 1997, a formal constitutional government was restored with the Second Republic. The new constitution provides for a strong presidential power, a unicameral legislature, and an independent judiciary. President Jammeh's party, the Alliance for Patriotic Reorientation and Construction (APRC), occupies the majority of seats in the National Assembly. The president is also the secretary of state for defense, and therefore controls the Gambian National Army. The security forces exert a strong influence over the government.

The Gambian economy employs 75 percent of the labor force in subsistence agriculture. Agriculture accounts for 23 percent of gross domestic product (GDP). Tourism, trading, and fisheries comprise the growing private sector. Per capita GDP is estimated at $360. Gambia is a member of the Economic Community of West African

States (ECOWAS). It maintains close relations with the United States, the United Kingdom, Senegal, and other African countries, although its representation in international organizations is limited.

HUMAN RIGHTS

In the human rights area, it should first be noted that citizens do not have an effective right to change their government. President Jammeh continues to impose restrictions on opposition politicians by enforcing bans on political activity and public meetings. The government has not yet formally revoked military decrees enacted prior to the constitution, and they remain in effect unless inconsistent with constitutional provisions. However, these decrees have not been subject to judicial review. Security forces are reportedly responsible for mistreating and beating detainees or prisoners. They occasionally arrest or detain citizens without formal charges.

Prison conditions are poor. They are overcrowded and lack medical facilities. There have been reports of political, military, and security detainees being malnourished and physically abused. Authorities do not always enforce the constitutional provision for detainees being brought before a court within seventy-two hours of their arrest. Although nominally independent, the judiciary partially remains under the influence of the executive branch, especially at the lower levels. Traditional courts based on customary law deals with civil and minor matters.

Authorities occasionally infringe on the privacy rights of citizens by monitoring their activities, authorizing searches without warrants, and confiscating property without due process. Freedom of speech and the press is severely restricted. The government uses police pressure, regulatory scrutiny, and decrees that limit the rights of the media. Independent radio stations and newspapers are subject to governmental interference, which at times results in intimidation, arrest, and detention of journalists and editors. Although the independent press practices self-censorship, criticism of the government still appears quite often. Foreign newspapers and radio news reports from foreign countries are accessible. State radio and television broadcasting stations serve as state propaganda tools, and give little coverage to opposition views.

The government violates constitutional provisions regarding freedom of peaceful assembly and association. The authorities deny permits to the principal opposition party to organize public meetings. Former governmental figures are banned from becoming involved in political activity. In addition, police officers, military personnel, and other civil service employees are prohibited from forming unions and striking.

Traditional customs contribute to discrimination against women in education and employment. Domestic violence and abuse of women, although only occasionally reported, is believed to be widespread. Female genital mutilation is practiced extensively, and the government has not passed legislation against it. Lack of resources and infrastructure limit education and health services for children. Child labor is common. There are no regulations mandating accessibility for people with disabilities.

Freedom of movement is occasionally restricted. Authorities reportedly denied passports to opposition politicians and to people under investigation for security matters. Former President Dawda Jawara is cur-

rently in exile, under threat of arrest and detention if he returns.

The government generally cooperates with the United Nations High Commissioner for Refugees and other non-governmental organizations (NGOs) in processing claims and assisting refugees or asylum seekers. Several human rights NGOs operate in the country, although they are required to register with the National Advisory Council.

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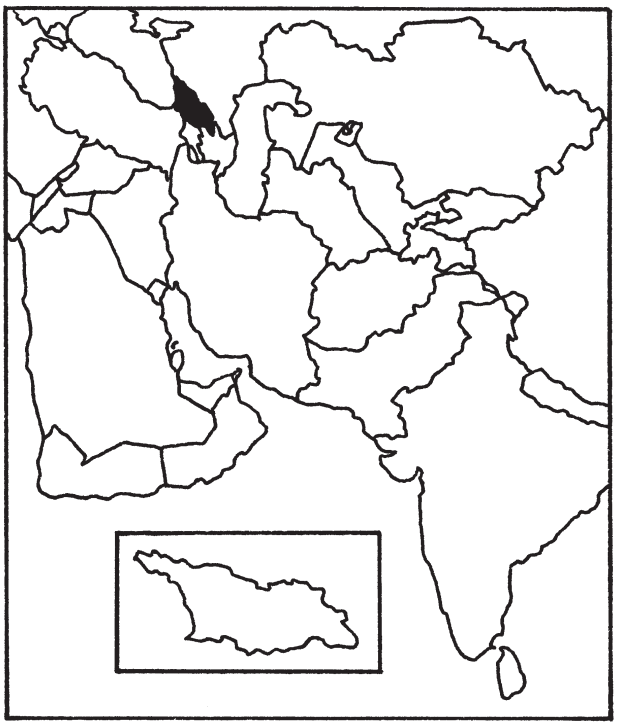
Georgia



The Republic of Georgia is located in the Caucasus area of southeastern Europe. It is bounded on the north by Russia, on the east by Azerbaijan, on the south by Armenia, and on the west by the Black Sea. Tbilisi is the capital city. Georgia's population of approximately 5 million includes six major ethnic groups: Georgians (70.1 percent), Armenians (8.1 percent), Russians (6.3 percent), Azerbaijans (5.7 percent), Ossetians (3 percent), Abkhazs (about 1.8 percent), and others (5 percent). Georgian is the official language, while Abkhaz is spoken in Abkhazia. More than half of the population is Christian Orthodox (about 65 percent). The remainder are Muslim (about 11 percent), Russian Orthodox (about 10 percent), and Armenian Apostolic (about 8 percent).

BACKGROUND

A former member of the Soviet Union, Georgia achieved independence on April 9, 1991. However, the newly formed republic immediately had to deal with separatist forces within its own territory—in Abkhazia and Ossetia—and did not achieve a moderate degree of political stability until 1995. The political situation in Georgia continues to be fragile. The nationalist desires of ethnic minorities have the potential to tear the country apart. Negotiations have achieved some measure of success in Ossetia. Conflicts continue in Abkhazia. The Georgian government is addressing most of its efforts and economic reforms toward the goal of reviving the old Silk Road, an ancient economic bridge between Asia and Europe.

In 1992 Georgia was admitted into the United Nations. The constitution was approved on October 17, 1995. Although the Republic of Georgia is a democratic state, its powers are highly centralized, with the exception of the autonomous regions of Abkhazia and Ajaria. The president of the republic is elected for a five-year term. The legislative power is held by a unicameral Parliament composed of 235 members who are elected for five-year terms.

Georgia's economic development has been stalled by the internal conflicts in Abkhazia and Ossetia, the Russian and Asian economic crisis, and internal political resistance against a Western model of developed society. However, under President Eduard Shevardnadze, the government has made progress in the area of

economic recovery. Most of these economic achievements have been possible because of new laws on commercial banking, land, and tax reform. In addition, many small, medium, and large enterprises have been privatized. Nevertheless, improvements in transportation and communication infrastructures are greatly needed.

HUMAN RIGHTS

Although the constitution grants all basic human rights, and the government makes efforts to enforce these provisions, problems still persist. There are, for example, reports of prisoners dying while in government custody. Physical abuse, inhuman conditions, and torture are among the causes of death. Authorities have not shown great interest in investigating, prosecuting, or punishing allegations of brutality by members of the security forces.

Additionally, there are numerous reports of political killings attributed to both sides of the Abkhazia conflict. Approximately 1,000 Georgians and several hundred Abkhaz have disappeared as a direct consequence of the conflict. Both sides occasionally take hostages for exchange. Security forces use torture and other forms of abuse during interrogations. Moreover, correction facilities are overcrowded, and lack adequate food, sanitation, and medical care. Diseases, especially tuberculosis, are frequent among prisoners, occasionally resulting in the death of prisoners. Pre-

The sister of an Abkhazian soldier grieving at his funeral. The Abkhazians wish to separate their land from Georgia.

trial detention is also a problem. Many prisoners are held for extended periods of time without being granted a trial.

Although the constitution provides for the independence of the judiciary, in practice the executive branch often influences the courts. Human rights observers have reported many cases of judicial incompetence and widespread corruption, which result in unfair trials. Human rights monitors have reported that there are political prisoners in Georgia, but their number is uncertain.

Authorities infringe on citizens' right to privacy by monitoring telephone conversations. Police often conduct searches without a warrant or stop cars without probable cause. Freedom of speech and freedom of the press are restricted. Security and law enforcement officers reportedly intimidate journalists in public and in private settings. Government officials often refuse to answer press inquiries and deny access to information. Moreover, there is no legal protection for journalists, who can be charged with offending the dignity of the authorities. Despite these restrictions, there are more than 200 independent newspapers, and one important television network, TNG, which have broken the state's monopoly on the media. Reports of harassment by the authorities against independent newspapers and television are frequent.

Government authorities do not respect the citizens' right of peaceful assembly.

Women remain underrepresented in Parliament. Of the 223 members elected during the elections of 1995, only sixteen were women, and only two women hold a ministerial position. Women are also subject to spousal abuse, which frequently is not reported. The government does not support any facility for women in distress, and few private institutions exist to provide battered women with shelter. However, the non-governmental organization Women for Democracy has promoted women's rights in Georgia. As a consequence, women have more access to jobs, although they remain underpaid compared to males.

The state provides very limited services for children, including education and health care. The Law on Labor provides special discounts and social policies for the disabled, especially veterans. Overall, the government does not supply services for the disabled because of a lack of funding.

Several non-governmental human rights organizations operate in the country, generally without restrictions. However, access to prisons by human rights monitors is restricted. Since 1997, the United Nation High Commissioner for Refugees and the Organization for Security and Cooperation in Europe have established offices in the territory of the Republic of Georgia to investigate security incidents and human rights abuses.

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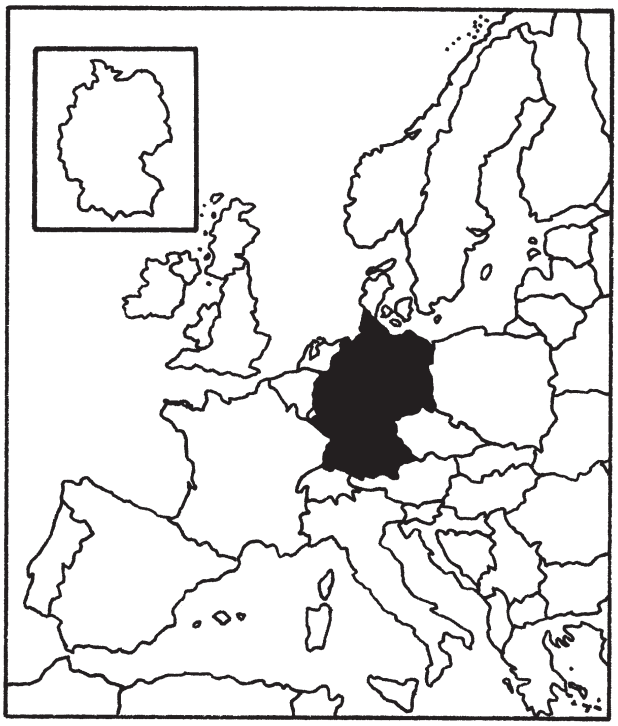
Germany



The Federal Republic of Germany is located in central Europe. It is bounded on the north by the North Sea, the Baltic Sea and Denmark; on the east by Poland and the Czech Republic; on the south by Austria and Switzerland; and on the west by France, Luxembourg, Belgium, and the Netherlands. Germany is a constitutional parliamentary democracy with a bicameral federal Parliament and an independent judiciary. Berlin is the capital. Primarily native German speakers comprise its homogeneous population of more than 82 million inhabitants. Other ethnic minorities include Danish and Slavic citizens, as well as 7.3 million non-citizens. The major religions are Protestantism and Roman Catholicism. Most non-citizens are Turkish and Kurdish immigrants, who are predominantly Muslim.

BACKGROUND

In 1871, the German Empire was created under the leadership of Otto von Bismarck, its first chancellor. The Empire collapsed at the end of World War I. From 1919 until 1933, there was an attempt to establish a peaceful, liberal, democratic regime, the Weimar Republic. However, economic problems and the weakness of the Weimar government led to the rise of the National Socialist (Nazi) Party under Adolf Hitler. The Nazi Regime fell at the end of World War II, after having committed many crimes against humanity, most notably the slaughter of 6 million Jews. In addition, 6 million non-Jewish civilians were killed by the Nazis.

In 1945, the United States, France, the United Kingdom, and the Soviet Union occupied Germany and assumed responsibility for its administration. The United States and the Soviet Union were unable to agree on the kind of government a new Germany should have, so they divided Germany into East and West, and each created their own German government in their sectors. In 1949, Germany was split into two separate countries: the Federal Republic of Germany (West Germany) and the German Democratic Republic (East Germany). In 1990, as the Soviet Union was disintegrating, the two German countries reunified under the name Federal Republic of Germany.

The reunification of Germany has caused difficulties, both economic and social. Eastern Germany is far poorer than western Germany, and the disparities in wealth

A band of German neo-Nazis marching in eastern Germany.

have caused resentment. Some of this resentment has fueled the rise of racist political parties and a neo-Nazi skinhead youth movement.

HUMAN RIGHTS

Human rights are generally respected in Germany. The law prohibits cruel, inhuman, or degrading treatment or punishment, and authorities generally respect this prohibition. However, episodes of police abuse still occur, especially when foreigners are involved. Such episodes are usually racially motivated. According to a July 1999 Amnesty International report, there is a "clear pattern of abuse" by the police against foreigners. The state has prosecuted several police officers guilty of abusing persons in custody. Prison conditions meet minimum international standards, and visits by human rights observers are permitted.

The law grants freedom of speech and freedom of the press, although the propagation of Nazism and certain other proscribed groups is illegal. In addition, the law forbids the propagation of certain other materials, such as child pornography. The law provides for freedom of assembly, but denies this right to neo-Fascists. The law also bans organizations whose activities are found to be illegal or opposed to liberal democratic order.

The constitution provides for religious freedom. However, the Jehovah's Witnesses have been denied public law corporation status. In addition, the Church of Scientology is under scrutiny by both federal and state officials, who claim that it is not a religion but an economic enterprise.

Violence against women is a problem. Rapes frequently go unreported. The feder-

al government has supported numerous projects throughout the country in order to assist abused women and their children by providing shelter, counseling, medical and legal aid, and police protection. Although the state is strongly committed to children, there have been cases of abuse against children, many of which are unreported.

The law mandates special services for people with disabilities, and the government enforces these provisions. The severely disabled are entitled to special benefits, such as tax breaks, free public transportation, special parking facilities, and exemption from radio and television fees. The federal government has set a number of policies for "barrier-free" public buildings and for modifications of streets and pedestrian traffic walks.

The law provides for the right to strike for all employees, except for civil servants (including teachers) and personnel in sensitive positions, such as the members of the armed forces. The governmental definition of "essential services," however, has been severely criticized by the International Labor Organization (ILO). The law forbids forced or compulsory labor, as well as child labor, and these provisions are generally respected. Recently, the Diehl Armaments Company announced that it would pay compensation to Jewish women who were forced to work for the company during World War II. There is no provision for a minimal wage. Wages are usually set by collective bargaining agreements between unions and employer federations or by individual contracts. These negotiations give German workers some of the highest average hourly wage rates in the industrialized world.

Germany cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. Nevertheless, there has been growing unofficial resistance in Germany toward the acceptance of immigrants and refugees, particularly those from Africa and the Middle East. Racist attacks on immigrants and refugees have become commonplace, particularly in eastern Germany, where higher unemployment rates have led frustrated young people to take out their resentments on those who look different. Government authorities have been generally good about prosecuting the perpetrators of these racist attacks, but human rights advocates say that more should be done.

Beyond asylum seekers, Germany must also deal with the problem of its millions of foreign *gastarbeiter* (guest workers). These are immigrant workers, mostly from Turkey, who have lived in the country for many years, some for decades. Although they are an important part of the economy, it is very difficult for them to become citizens, a status that is largely restricted to those who can prove German ancestry. Some critics have argued that Germany's unwillingness to absorb its Turkish workers is motivated by racism, and that these attitudes help to fuel the more blatant racist attacks of skinheads and neo-Nazis.

A variety of human rights groups operate without restriction, investigating and publishing their findings on human rights cases. German officials are generally very cooperative.

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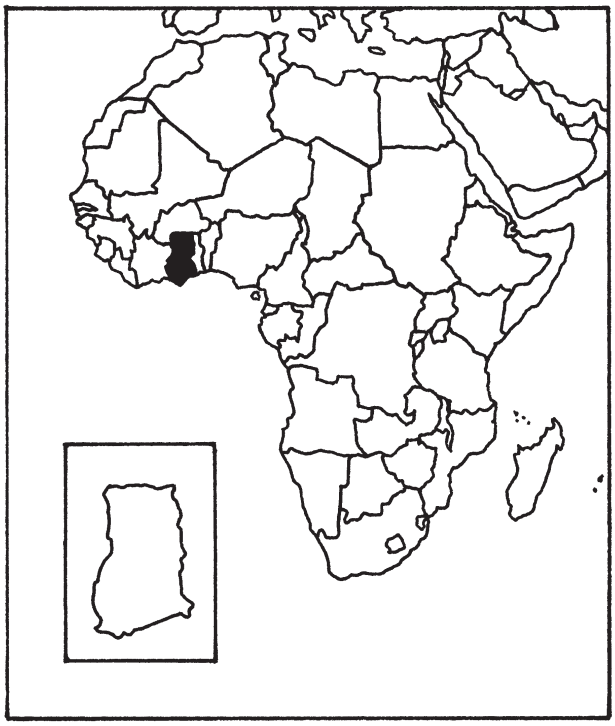
Ghana



The Republic of Ghana is located in West Africa. It is bounded on the north by Burkina Faso, on the east by Togo, on the south by the Gulf of Guinea, and on the west by Côte d'Ivoire. Accra is the capital. Its population of about 19 million is divided in small ethnic groups speaking more than fifty languages and dialects. English is the official and the commercial language. Among the most important linguistic groups are the Akan, the Guan, the Ga and Ewe-speaking tribes, and the Moshi-Dagomba. About 24 percent of the population is Christian, 30 percent is Muslim, and the remainder practice indigenous beliefs.

BACKGROUND

Ghana's history is marred by continuous political struggles to establish democracy. A British colony, Ghana achieved independence within the Commonwealth in 1957. In 1960, it became a republic with strong presidential power. A combination of military coups, economic mismanagement, corruption at all levels of public life, and ongoing human rights violations characterized Ghana's politics until 1979, when civilian rule was restored. The Third Ghanian Republic was established, with a new constitution modeled after those of Western democracies. However, under the presidency of Dr. Hilla Limann, the new government failed to stop the economic decline and the widespread corruption that characterized post-independence Ghana's history.

In December 1981, a junior officer, Flight Lt. Jerry John Rawlings, launched a military coup, suspended the constitution, and dissolved the Parliament. Under Rawlings, a Provisional National Defense Council (PNDC) exercised authoritarian rule. International and domestic forces pushed for a return to democracy, and in 1992 new parliamentary and presidential elections took place. In 1993, the Fourth Republic was founded with Rawlings as its president. The 1996 elections reconfirmed Rawlings in his current position by giving him 57 percent of the popular vote. Rawlings' National Democratic Party won the majority of the seats in Parliament. The opposition contested the results of the elections, which were considered free and fair by international and domestic observers.

The new republican democratic government is founded upon the principle of the division of powers. However, the Parliament remains under the strong influence of the president's party and the judiciary occa-

Boys carrying water to their village, a task that must be done many times a day.

sionally receives pressure from the executive. Furthermore, the lack of adequate resources undermines the effectiveness of all three branches of the government. Internal corruption and pressure from the executive compromise the legal system.

The president and the Council of State hold the executive power. The president is the head of state, head of government, and commander-in-chief of the armed forces. The unicameral Parliament has legislative powers and its members are elected for terms of four years by universal adult suffrage. The opposition complains that the executive imposes impediments on proposed legislation by opposition members.

Ghana's economy is based primarily on agriculture and the export of gold, cocoa, and timber. Tourism constitutes the third greatest source of income from foreign exchange. Ghana's industrial activity is relatively advanced compared to other African countries. Even so, Ghana remains heavily dependent on international financial and technical assistance.

HUMAN RIGHTS

Ghana is an active member of the United Nations, the Non-Aligned Movement, the Organization of African Unity (OAU), and the Economic Community of West African States (ECOWAS). Despite the government's effort to improve human rights practices, violations and abuses are committed in several areas. The police sometimes abuse prisoners and harass citizens; there are also reports of excessive use of force in the

form of beatings and torture under police custody that resulted in extrajudicial killings. The security forces have used live ammunition to control riots and during some demonstrations. There are reports of people being killed on these occasions. Sometimes the authorities filed charges against the perpetrators, and several investigations are still pending.

Police often conduct searches without a warrant. Arbitrary arrests and detentions are also widespread, and police checkpoints are used to solicit bribes. Police corruption is a serious problem, and the population has little or no faith in the security forces.

Prisons are unsanitary, overcrowded, and poorly ventilated. Prisoners' families usually supply them with food and bribe guards for visitation rights. Pretrial detainees comprise about 30 percent of the prison population. As late as 1999, Amnesty International was reporting that at least eight prisoners of conscience arrested in previous years were still being detained.

The constitution grants freedom of speech and press; however, the government exercises pressure on journalists, editors, and media organizations. Journalists and editors have been imprisoned by use of the criminal libel laws, which provide for up to ten years' imprisonment for reporting stories that might harm the reputation of the government. In 1999, after a five-year libel trial, the editor of an independent newspaper was sentenced to ninety days in prison for printing allegations against the president's wife. Foreign periodicals have free circulation.

Most radio stations are independent and air a variety of viewpoints. There are three television stations; one is government-owned and has a nationwide audience, while the other two are partially owned by the government and broadcast only to the capital. Government-owned media never criticize government policies. One private cable service is accessible to subscribers throughout the country.

The government generally respects the right to peaceful assembly and freedom of association. However, student demonstrations on Accra University campus are banned. Although the law initially recognized the right to strike, all strike actions were denied legal status under the provisions of the Industrial Relations Act.

The government does not enforce constitutional provisions against discrimination based on race, sex, religion, disability, language, or social status. Women are underrepresented in government and are victims of societal discrimination in all sectors of public life, including education. Violence against women is a serious problem. There are press reports of penal villages in the northern region for pregnant teenagers or women suspected of witchcraft by village authorities. They live in harsh conditions, under forced labor, and constantly fear death. The press often reports deaths or episodes of violence related to vigilantism; angry citizens or mobs have attacked suspected criminals or women accused of being witches.

Female genital mutilation is still practiced. Female and child slavery still exist. The law does not prohibit forced childhood marriage. Child prostitution and labor, although illegal, are widespread. In 1998, legislation was passed to better protect women and children's rights.

The government respects freedom of religion. However, violent confrontations sometimes take place between Muslim sects, and there are tensions between the Christian community and traditional authorities. Ethnic conflict is also a problem. In 1995, the Permanent Peace Negotiating

Team was created to help solve ethnic conflicts in the northern region and the northern part of the Volta region. A few positive results were achieved.

The government generally cooperates with the United Nations High Commissioner for Refugees. Ghana continues to provide first asylum to refugees from West African nations.

Non-governmental and international human rights organizations operate without interference from the government. The Commission for Human Rights and Administrative Justice (CHRAJ) has jurisdiction to investigate and remedy proven violations of human rights, to settle individual cases of grievances against government offices, and to provide informative workshops on human right issues. In August 1998, the Supreme Court accorded the CHRAJ the right to investigate violations that took place prior to the 1992 constitution.

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Greece

The Hellenic Republic (the official name) is a Balkan or southeast European state, and a member of the European Union. It has a population of 11 million. Greece achieved independence from the Ottoman Empire in 1829 and was one of the founding members of the United Nations. Since the collapse of its most recent dictatorship in 1974, Greece has been a multiparty democracy. The official language is Greek and the state religion is Eastern (Orthodox) Christianity. Over 90 percent of the population formally identify as Orthodox. A few hundred thousand Orthodox belong to various Genuine (Old Calendarist) Orthodox Churches that have split from the official (New Calendarist) Orthodox Church to which most Greeks belong. Among Greek citizens, there are also 96,000 Muslims, 50,000 Jehovah's Witnesses, 50,000 Catholics, 30,000 Protestants, 5,000 Jews, and other smaller (new and old) religious communities.

In recent years, some 500,000 to 700,000 immigrants have settled in Greece, mostly illegally; three-fifths of them are Albanians, and most of these are Muslim. In 1998, a legalization procedure for those immigrants was launched, eventually leading to some 201,000 people applying for residence permits. Besides immigrants, Greece has an estimated 300,000 Roma (also called Gypsies). Most Muslim Greek citizens identify themselves as ethnic Turks, even though for some 30,000 of them the mother tongue is Pomak (a form of Bulgarian); another few tens of thousands identify themselves as ethnic Macedonians. Considerably larger numbers (some 200,000 in each case) of ethnic Greeks have a non-Greek mother tongue: Makedontsi (Macedonian), Arberichte (Arvanitika, a form of Tosk Albanian), and Arminesti (Aromanian, a neo-Latin language akin to Romanian).

HUMAN RIGHTS

Greece has only a fair record of defending human rights. Many of its more troublesome human rights issues revolve around its large ethnic minorities.

Officially, Greece recognizes only one religious minority, that of the Muslims. Greek citizens who have claimed a Macedonian or a Turkish ethnic identity have often been harassed, and sometimes prosecuted and

convicted. Popular sentiment, supported by the government, rejects the human rights of these ethnic minorities to claim a different national status. Greek courts have also banned Macedonian and Turkish associations. In July 1998, the European Court of Human Rights (ECHR) found Greece guilty of violating the human rights of its citizens because of a 1990 ban of one such an association, called the "Home of Macedonian Culture." The ECHR was clearly warning Greece that it has to allow the free establishment of ethnic minority associations as a basic human right. The ECHR is not alone in its criticism of Greece's human rights stance. Most major international human rights organizations have consistently reported a multitude of small to serious violations of the education, religious, and other rights of Greece's two largest ethnic minorities.

In 1997, Greece belatedly ratified the United Nations International Covenant of Civil and Political Rights and signed the Council of Europe's Framework Convention for the Protection of National Minorities (a convention that still awaits ratification).

Despite these formal steps, Greece still has not completely accepted the right of some of its citizens to freely identify themselves, individually as well as collectively, ethnically as non-Greeks. The need for such adaptation of Greek policy was first mentioned publicly by Foreign Minister George Papandreou in July 1999, coincidentally a few days after a public appeal for the recognition of Macedonian and Turkish minorities was made by minority members of Parliament and organizations, and by a few human rights non-government organizations (NGOs). The ensuing public debate was dominated by strong verbal reactions—often rising to the level of hate speech—against the minister and the signatories of the appeal, from almost all sides of the political, media, and intellectual communities. For many Greeks, this xenophobia is born out of a nationalistic fear that Greece is in danger from its neighbors, particularly Turkey.

Religious minorities are also discriminated against. It is characteristic of Greece's intolerance toward minorities that the ECHR has repeatedly convicted Greece of the violation of the rights of its Jehovah's Witness, Catholic, and Protestant communities. Some of the ECHR verdicts have included strong criticism of related legislation passed by the Greek Parliament. Similar criticism can be found in a 1996 report by a UN Special Rapporteur on Religious Freedom. However, pressure from the Greek Orthodox Church, combined with popular resistance, have prevented the necessary liberalization of legislation on the treatment of religious minorities.

The Roma have also suffered from discrimination in Greece. Perhaps half of the Roma have successfully integrated themselves into Greek society, while the other half live in scores of settlements under poor living conditions. An ambitious government plan to help the Roma was announced in 1996. Very little has been achieved since then, though, because of prejudice by police and government officials, combined with the reluctance of reelection-minded ministers to show the necessary political will. Instead, at least a dozen Roma communities have been expelled or threatened with expulsion in the late 1990s. Police brutality against and harassment of Roma remains frequent and unpunished, even in the rare cases that prosecutors indict alleged offenders. Finally, comparative studies have shown that tent-dwelling Roma

have the some of lowest education levels and some of the highest incidence of serious health problems (such as the widespread occurrence of hepatitis) in Europe.

The ongoing policy of regularization of the immigrant population has not lessened the rising xenophobia of Greek public opinion. This xenophobia, enhanced by the hostile coverage by the Greek print and electronic media, erroneously states that immigration is the main cause of rising crime and unemployment in Greece. Under such pressure, the Greek government often resorts to conspicuous "broom" operations (or "broomsweep," as the informal name of "sweeping" the country of unwanted foreigners) that have led to the usually inhuman expulsion of thousands of mostly Albanian immigrants.

The press in Greece is largely free, and many critics have charged that it frequently resorts to the use of hate speech, especially toward minorities and dissident intellectuals. The government is more sensitive to political attacks than it is to ethnic prejudice. The courts have sentenced journalists and publishers to prison in libel cases, mostly for articles that could not be considered anything more than harsh criticism of public officials. Such convictions can be intimidating, especially for small provincial media. The government has ignored repeated appeals by all major international freedom of expression organizations to bring Greece's press legislation in line with current international norms.

Since the 1996 change of government (when Costas Simitis succeeded Pan Hellenic Socialist Movement (PASOK) party founder Andreas Papandreou as prime minister), Greek authorities have slowly been trying to adapt their human rights policy to the prevailing international standards. These changes have been thwarted by the resilience of middle-level administrators who, like most Greeks, believe that Greece is, and should remain, one indivisible nation.

Panayote Elias Dimitras

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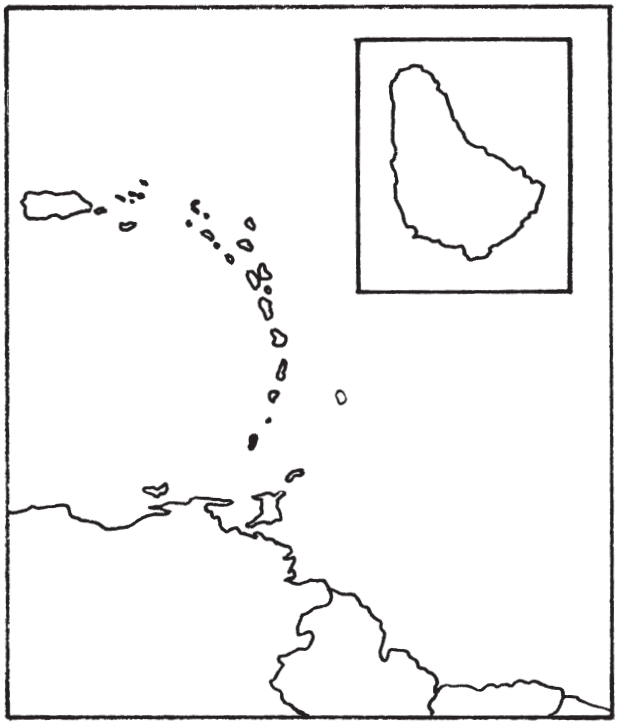
Grenada



Grenada is an island nation in the eastern Caribbean. It's capital city is St. George's. It is a constitutional monarchy with a multiparty parliamentary democracy, and is a member of the Commonwealth of Nations. Queen Elizabeth II, the British monarch and head of state, appoints a governor-general who represents the head of the state with largely ceremonial powers. The prime minister, as leader of the majority party, and the cabinet hold the executive powers and are responsible to the Grenadan Parliament.

Grenada's population of approximately 100,000 is almost entirely of African origin. Other ethnic groups are from South Asia (East Indian) and Europe. Roman Catholicism is the official religion, although Protestant denominations are also widespread. Many South Asians are Hindus; some are Muslim. English is the official language.

The economy of Grenada is based on agricultural products—nutmeg, mace, cocoa, and bananas—as well as tourism. Agriculture accounts for over half of the merchandise exported, and a large portion of the population is employed directly or indirectly in agriculture. Tourism is the key earner of foreign exchange. Grenada is a member of the Caribbean Community and Common Market (CARICOM).

Grenada was granted full autonomy in March 1967, and achieved full independence on February 7, 1974. Sir Eric Gairy was Grenada's first prime minister. On March 13, 1979, the new joint endeavor for welfare, education, and liberation (New Jewel) movement ousted Gairy in a nearly bloodless coup and established a People's Revolutionary Government (PRG) headed by Maurice Bishop, who became prime minister. His Marxist-Leninist government established close ties with Cuba, the Soviet Union, and other communist countries. In October 1983, a power struggle within the government resulted in the arrest and subsequent murder of Bishop and several members of his cabinet by elements of the People's Revolutionary Army.

Following a breakdown in civil order, a joint U.S.-Caribbean military force landed on Grenada in 1983 in response to an appeal from the governor-general and a request for assistance from the Organization of Eastern Caribbean States. As a result of the invasion, U.S. citizens were evacuated and order was restored. New general elections were held in December 1984. The New National Party (NNP), led by Herbert Blaize, won fourteen of fifteen seats in free and fair elections and formed a democratic govern-

ment. Grenada's constitution had been suspended in 1979 by the PRG, but it was restored after the 1984 elections. In the parliamentary elections on June 20, 1995, the NNP won eight seats and formed a government headed by Dr. Keith Mitchell.

HUMAN RIGHTS

The constitution of Grenada grants human rights to its citizens and the government generally respects them in practice. However, there have been several reports of police brutality toward those arrested. Torture is forbidden by the constitution, but flogging remains a legal form of punishment, although it is rarely used.

Persons under arrest must be charged within forty-eight hours. Legal detention usually lasts up to fifteen days, but can be extended up to sixty days. Bail is almost always granted. The judiciary provides fast and efficient trials. The judiciary is independent and is held in high esteem by the public. Access to legal assistance is easy, and the authorities provide attorneys to the indigent.

All newspapers, radio, and television stations enjoy independence from the state and regularly report opposition views. The television news often airs reports on opposition activities, including coverage of political rallies held by various political parties and candidates, public forums featuring political leaders of each of the major parties, and other public service broadcasts.

Violence against women is a serious problem. Most cases of abuse are not reported, and others are settled out of court. The law provides for long terms of imprisonment for crimes such as rape, but many women are afraid to bring charges. A shelter for battered women was opened providing medical and psychological assistance. The abuse of children is increasingly a problem. However, the state provides services to youth, day-care services, and social work programs for families. In addition, funds are available for private children's homes.

The law does not protect job seekers with disabilities from discrimination in employment, nor does it require accessibility for public buildings or services. The National Council for the Disabled and the National Children's Home assist the government in placing disabled students into community schools. The Council also seeks assistance from architects and builders in the construction of disabled access ramps at hotels and public buildings.

Child labor, as well as forced or bonded labor, is illegal. However, children sometimes work in the agricultural sector. The statutory minimum age for employment of children is eighteen. Inspectors from the Ministry of Labor enforce this provision by means of periodic checks.

The constitution protects freedom of movement within and outside the country. Nevertheless, the right to leave the country can be denied in special circumstances as outlined by the 1986 Act to Restrict the Freedom of Movement of Certain Persons. General elections are held every five years, and they are usually free and fair. Local human rights groups operate without government restriction, and the government cooperates with visits from international human rights organizations.

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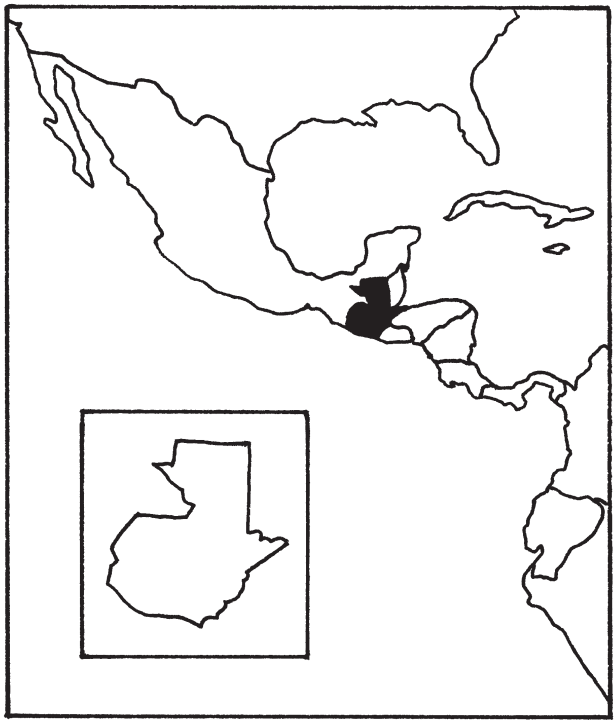
Guatemala



The Republic of Guatemala is located in Central America. It is bounded by Belize, El Salvador, Honduras, and Mexico. Guatemala City is the capital. Its population of approximately 12 million consists primarily of mestizos—mixed Spanish-Indian—and indigenous Indians. Roman Catholicism is the dominant religion, although Protestantism and traditional Mayan religions are also practiced. Spanish is the official language, more than twenty Indian languages—including K'iche', Kakchiquel, K'ekchi, and Mam—are spoken throughout the country.

BACKGROUND

Guatemala is a constitutional democratic republic. Its constitution, which dates back to May 1985, was amended in November 1993. The government consists of an executive branch—the president; a legislative branch—a unicameral eighty-member Congress; and a judiciary—a thirteen-member Supreme Court of Justice.

Rich in natural resources—oil, timber, and nickel—Guatemala has an agriculture-based, private sector–oriented economy. Coffee, sugar, and bananas are the major exports. About half of the population engages in some form of agriculture, and a smaller amount are engaged in manufacturing. A considerable disparity exists in the income distribution of Guatemalans, and the poverty rate is very high, particularly among the indigenous people. About 80 percent of the population and 90 percent of the indigenous community live in poverty. Guatemala's economy was adversely affected in October 1998 by Hurricane Mitch, which caused 250 deaths and did much damage to the nation's infrastructure and crops.

Mayan civilization dominated the territory until 1523–1524, when Pedro de Alvarado established Spanish colonial rule. Most Central American countries came under the control of the Captaincy General of Guatemala. During the seventeenth century, Antigua—the capital of Guatemala since 1543—was one of the richest capitals of the New World. Antigua, however, was severely damaged by two earthquakes in 1773, and Guatemala City became the new capital in 1776. Guatemala achieved independence from Spain on September 15, 1821, and was briefly part of the Mexican Empire. It later became a member of the United Provinces of Central America.

Soldier standing guard in a Guatemalan hamlet.

A series of dictatorships, insurgencies, coups, and stretches of military rule characterized the history of Guatemala from the mid-nineteenth century until the mid-1980s. In 1986, President Vinicio Cerezo's new civilian government committed itself to ending political violence and to establishing the rule of law. Among Cerezo's reforms were the creation of a legislative human rights committee and the office of Human Rights Ombudsman. Cerezo's government, however, was strongly criticized for its unwillingness to investigate cases of human rights violations and for its inability to deal with many of the nation's problems, including high infant mortality, widespread illiteracy, and deficient health and social services. Guatemala's most serious problem was an ongoing civil war with leftist guerrillas led by the revolutionary Guatemalan National Revolutionary Unity Party (URNG).

Jorge Serrano won the 1990 presidential elections. On May 25, 1993, Serrano illegally dissolved Congress and the Supreme Court, and tried to restrict civil freedoms, in an alleged effort to fight corruption. This coup, however, failed because of strong protests from Guatemalan society as well as international pressure. Serrano eventually fled the country and was replaced by the human rights ombudsman Ramiro De Leon Carpio, who launched an ambitious anticorruption campaign to purify Congress and the Supreme Court. The De Leon government made peace with the URNG guerrillas, and signed agreements on Human Rights (March 1994), Resettlement of Dis-

placed Persons (June 1994), Historical Clarification (June 1994), and Indigenous Rights (March 1995).

HUMAN RIGHTS

The agreement on the reinsertion of the URNG into political life contributed to an improvement in Guatemala's human rights situation. In the aftermath of Hurricane Mitch, President Alvaro Arzu Irigoyen had "temporarily" suspended certain civil liberties as a thirty-day emergency measure, ratified by the Congress. The ending of Arzu's attacks on civil liberties advanced human rights for Guatemalans. In recent years, the human rights situation has continued to improve considerably, although problems have remained in some areas.

Members of the police have been accused of extrajudicial killings. Indigenous people were the most common victims of extrajudicial killings during the internal conflict. Additionally, although the constitution provides for the integrity and security of the person and prohibits torture of prisoners, security forces have mistreated suspects and detainees. Arbitrary arrests and detentions, as well as lengthy pretrial detentions, are widespread problems. Police routinely ignore writs of habeas corpus in cases of illegal detention, and it is estimated that 62 percent of all those in prison are awaiting trial.

About seventy clandestine cemeteries have been found in the past five years. Most of the exhumed bodies were those of victims of military or paramilitary killings. According to a number of reports, social cleansing operations still occur and typically consist of cases in which persons considered socially undesirable are murdered.

Corruption among the police and in the judiciary is also a problem. A number of individual police officers have been involved in criminal activity, including kidnapping. Judges and other law enforcement officials are regularly subject to intimidation and corruption, and the inefficient judicial system is often unable to ensure fair trials and due process. Lynchings and mob attacks are frequent; they are vigilante responses to the government's inability to control crime and of the courts to assure speedy justice. Prison conditions are harsh, and prison security and medical facilities are inadequate. Many prisons are overcrowded, and food is inadequate. Drug-related corruption is common; escapes and prison unrest are also serious problems.

Although the constitution states that all persons are free and equal in dignity and rights, in practice discrimination and violence against women is common, as are societal child abuse and discrimination against the disabled and indigenous people. Violence against women, including domestic violence, is common among all social classes. Victims rarely report criminal sexual violence and relatively few rape cases go to court. Women face job discrimination and generally receive significantly lower pay than men. They are predominantly employed in low-wage jobs and in the informal sector of the economy. The abuse of street children is a serious problem in major cities. Moreover, discrimination against physically disabled persons in employment is widespread, and few resources are devoted to assisting the disabled. In general, rural indigenous people have limited educational opportunities and thus have fewer employment opportunities. Because of their limited comprehension of Spanish, indigenous people arrested for crimes are usually at a disadvantage.

The constitution provides for freedom of expression and the government generally

respects this right. The constitution also provides for the right of peaceful assembly and for freedom of association. Workers are allowed to form and join trade unions. Forced or compulsory labor is forbidden by the law. The constitution, however, does not specifically prohibit forced or bonded labor by children, who are regularly employed in the informal and agricultural sectors. Workers are often forced to work overtime without premium pay, and occupational health and safety standards are inadequate.

Guatemala generally permits human rights groups to operate freely, and a number of domestic and international groups are very active and report freely on human rights issues.

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Guinea

The Republic of Guinea is situated in West Africa, bordering the North Atlantic Ocean between Guinea-Bissau and Sierra Leone. Conakry is the capital city. The country's population of approximately 7.5 million is ethnically and regionally diverse. The largest ethnic groups are the Puhlar, also called Peuhl or Fulani (about 40 percent), the Malinke (about 30 percent), and the Soussou (about 20 percent). Each of these groups speaks its own language and is concentrated in a distinct region. French is the official language. About 85 percent of the population is Muslim, with the remainder professing Christianity or indigenous beliefs.

BACKGROUND

A former French colony, Guinea achieved independence in 1958. The current president Lansana Conte has been ruling since 1984, when he successfully organized and led a military coup. He was elected president of a civilian government in 1993, after elections that were totally controlled by the government with no opposition participation. The first multiparty legislative elections were held in 1995. President Conte's Party of Unity and Progress (PUP) won 60 percent of National Assembly seats. The elections were considered fraudulent by both local and international observers. Conte won a second five-year term in 1998.

Although a constitutional republic providing for the separation of powers, the presidency maintains effective power and the Party of Unity and Progress dominates all three branches of the government, including the judiciary.

Guinea is one of the poorest countries in the world, despite its major mineral, hydropower, and agriculture resources. About 85 percent of the labor force is engaged in subsistence agriculture. Coffee and fruit are produced for export. Guinea is the second largest bauxite producer in the world. Most national export earnings come from mining, particularly bauxite, gold, and diamonds. Per capita annual gross domestic product was estimated at $540 in 1997. Widespread corruption and government policies hold the country's economic growth in check. Guinea receives financial assis-

tance from international institutions, although foreign investments are meager.

HUMAN RIGHTS

Guinea is a member, among others, of the Organization for African Unity and the United Nations. Although improvements have been reported in recent years, the country's human rights record continues to be poor. Citizens do not have the ability to change their government. The government dominates the election process and has refused to create an independent electoral oversight commission since the first multiparty presidential election in 1993.

The December 1998 presidential elections were marred by serious irregularities, intimidation, violence, and civil unrest. PUP and opposition party supporters engaged in violence before and after the election. Opposition candidates were prevented from holding public meetings and did not receive equal access to—or effective coverage by—the state-controlled broadcast media. Security forces allegedly arrested members of opposition parties during the vote-counting process. Widespread antigovernment protests and riots resulted in the deaths and injuries of civilians caused by members of the security forces.

Members of opposition parties, as well as local non-governmental and human rights organizations, allege that the government is responsible for the disappearances of political activists and for holding dozens of political prisoners convicted under criminal charges. Both civilian and military security forces regularly use torture, physical abuse, and other cruel and degrading treatments against detainees or prisoners. Prison conditions are inhuman and often life threatening. Prisoners rely on humanitarian assistance or on family members for food and medical care. Some die of malnutrition and various diseases. Prison guards are often responsible for sexual assaults on, and harassment of, female inmates.

Arbitrary arrest is a serious problem. Long pretrial detentions are common. Authorities do not always enforce the law providing access by attorneys to their clients. Magistrates and lawyers are mostly unqualified and corrupt. The penal code is outdated and judges serve at the pleasure of influential members of the government. Citizens often prefer to rely on traditional systems of justice in the villages or urban neighborhoods. Vigilante violence against suspected criminals is also widespread.

Government officials routinely infringe on citizens' right to privacy. There are credible reports that security officials monitor telephone calls and mail. Local businesses and foreign companies are occasionally victims of harassment and intimidation by government officials. Police often ignore legal procedures in the process of arresting suspected criminals.

The government restricts freedom of speech and the press, and has a monopoly on domestic radio and television broadcasting, although access to foreign television satellite broadcasts is growing. The only official daily newspaper is state owned. Journalists associated with the official press practice self-censorship. The private press is critical of the government and the president. Foreign newspapers are available. On several occasions in 1997 and 1998, independent journalists and editors have been harassed by the authorities, arbitrarily arrested, and convicted under criminal charges for defamation, slander, and disturbing the public peace.

The constitution restricts freedom of assembly by prohibiting any gathering that might be threatening to the national unity,

including meetings of an ethnic or racial nature. The government also limits opposition activities. Although the law provides for freedom of association, there are a number of restrictions political parties must overcome before obtaining legal recognition.

While the constitution forbids discrimination based on sex, ethnicity, language, beliefs, disability, or social status, these provisions are not enforced. Discrimination against women based on traditional customs is common, especially in rural areas. Women receive less pay than men for equal work. The law generally favors men in civil and family matters. Legal evidence by women in court is considered less relevant than that of men. Women remain underrepresented in government. Although prohibited by law, polygamy is widely practiced. Violence against women is common. Domestic violence is a criminal offense. However, the police rarely enforce the law in domestic disputes.

Although illegal, female genital mutilation continues to be widely performed. The government is committed to children's welfare, especially in providing for education. However, it fails to monitor and actively address child prostitution and child labor.

The constitution does not include special provisions for the disabled, such as accessibility to public services and buildings. Ethnic discrimination is strong and particularly evident in the private sector, in ethnically segregated urban neighborhoods, and in the paucity of interethnic marriages. Members of the ruling party's ethnic group occupy most senior positions in the public sector. Incidents of ethnic violence also occur among the major ethnic groups.

Citizens are restricted in their freedom of movement within the country. All citizens are required to carry national identification cards. Police officers often stop and extract bribes from travelers at security checkpoints. The authorities can also limit foreign travel for political reasons.

The government cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugee and asylum seekers, primarily coming from Liberia and Sierra Leone. However, there have been reports of sexual assaults and harassment of refugees by border patrol guards. Occasionally, refugees have been subject to arbitrary arrests and detention by security forces. In some instances, suspected rebels have been forcibly returned to the government of Sierra Leone.

There are several local non-governmental organizations that address human rights issues, and the government generally cooperates with their investigations, and sometimes (with mixed sincerity) attempts to educate the citizenry and officials about human rights. A human rights office within the Ministry of Defense organizes seminars to teach military personnel about international and regional agreements on human rights.

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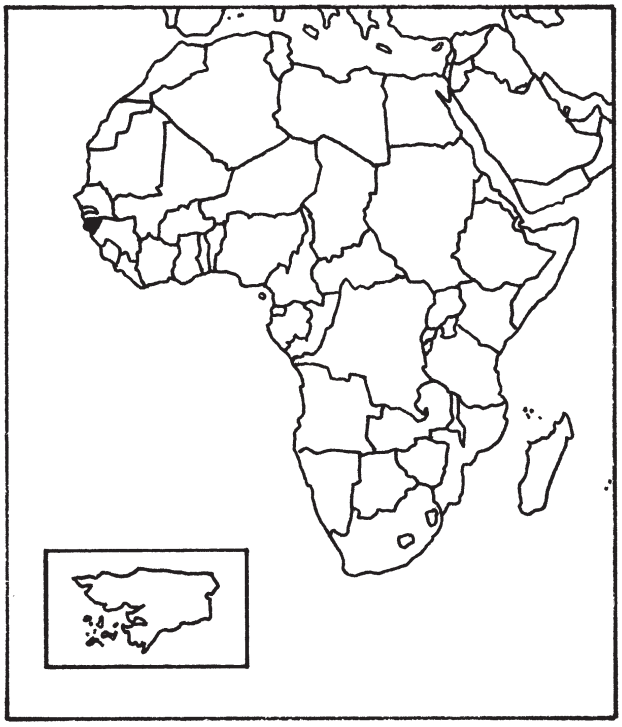
Guinea-Bissau



The Republic of Guinea-Bissau is a small country in western Africa, between Guinea and Senegal on the Atlantic coast. The population is approximately 1.2 million, divided between a variety of ethnic groups. Its capital city is Bissau. In terms of land mass, it is roughly three times the size of Connecticut. Guinea-Bissau gained its independence from Portugal in 1974, although the first multiparty legislative and presidential elections were not held until 1994. In 1998, it underwent a bloody civil war, making refugees out of hundreds of thousands of its citizens. The elected president, President Bernardo Vieira, was ousted in a military coup in May 1999 by a military junta (faction), which provisionally ruled Guinea-Bissau until February 2000, when a popularly elected government came to power.

The police are under the jurisdiction of the Ministry of the Interior and is Guinea-Bissau's foremost organ of security. During the unrest of 1998, supporters of both Vieira and the military junta openly carried firearms and conducted their own patrols. After Vieira was ousted, however, the police were able to reinstate the rule of law and resume most of their responsibilities.

HUMAN RIGHTS

The election in February 2000 marked a turning point in Guinea-Bissau's human rights record. Most international observers agreed that the elections were free and fair.

However, there were substantiated reports of extrajudicial killings on the part of the government, particularly under the Vieira administration. Both forces loyal to President Vieira and the military junta continued to use beatings, arbitrary arrest and detention, and other forms of harassment against Guinean citizens. Supervision of security forces remains lacking, and there was no action taken to discipline security force members responsible for human rights violations. Prison conditions remain poor, but are not life threatening.

Even though the civil conflict between government forces and Vieira supporters came to an end in 2000, it remains difficult to determine how many people were killed during the conflict; some estimates range as high as 2,000. It is not known how many of these people were civilian non-combat-

ants. There were many reports during the conflict of mass killings of innocent civilians. One such account indicates that in May 1999, during the coup to oust Vieira from power, rebel forces killed sixty civilians seeking refuge in a mission school outside the capital. There were credible reports that soldiers on both sides of the conflict committed rape and mistreated prisoners.

Immediately following the May coup, the new government detained as prisoners of war as many as 600 soldiers who had supported Vieira during the civil war. According to the government, 180 of these soldiers were subsequently released, and an additional fifty were released in the following months. More than 385 remain in detention.

Freedom of the press is limited and journalists frequently practice self-censorship. Prior to the violent outbreak in June 1998, Guinea-Bissau's print media consisted of one independent daily, three independent weeklies, one government-owned biweekly, and one independent monthly. Circulation is limited due to financial constraints. Many papers lack the raw materials necessary to publish consistently. During the civil war, most journalists were permitted to circulate freely and report on the fighting and associated political developments.

During the civil war, most of Guinea-Bissau's academic institutions ceased functioning. When the war ended, the universities were reactivated, and academic freedom has generally been respected.

The government respects the rights of peaceful association and assembly. In November and December 1999, unarmed soldiers were allowed to conduct unannounced one-day demonstrations to protest against non-payment of their wages.

The government also respects the rights of freedom of religion. All religious groups must be licensed by the government, but so far, all applications have been accepted. Various faiths, including the Jehovah's Witnesses, were allowed to conduct missionary activity throughout 1999. Freedom of movement, even during the height of the conflict, was not severely restricted on a national level, although many police officers set up informal checkpoints where they engaged in bribe-taking and harassment of travelers.

The government of Guinea-Bissau has provided asylum to refugees from neighboring countries, including Senegal, Liberia, and Sierra Leone. According to a census conducted in January 1998 by the United Nations High Commissioner for Refugees (UNHCR), there are just under 5,000 Senegalese refugees in Guinea-Bissau. Although there are no formal provisions for the acceptance and maintenance of refugees, asylum seekers continue to be granted refugee status on a case-by-case basis. No refugees have been deported forcibly to countries in which they feared persecution.

Physical violence, including domestic violence, is currently an accepted means of settling disputes within households. The police do intervene if they are called, but the government of Guinea-Bissau has not taken any specific measures to counteract the national prejudice against reporting domestic violence. Women are vastly underrepresented in the National Assembly, where they occupy only 9 of 102 seats. Female genital mutilation, which has been condemned by most international health organizations as a physically and mentally damaging practice, still persists in certain ethnic groups within Guinea-Bissau, particularly with the Fulas and the Mandinkas. As Islam gains prominence in Guinea-Bis-

sau, the practice seems to be increasing: not only is this practice performed on adolecent girls, but also on babies as young as four months. The government has not outlawed the practice, but it has formed a committee in order to conduct a nationwide education campaign to discourage it.

Most human rights groups temporarily ceased operations during the 1998 civil war, although there is now a substantial human rights presence in Guinea-Bissau. The Guinea-Bissau Human Rights League and some international organizations have continued to investigate reports of human rights abuses freely and without government interference.

Eric Busch

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Guyana

The Co-operative Republic of Guyana is situated in South America. It borders the Atlantic Ocean on the north, and lies between Suriname and Venezuela. Georgetown is the capital city. Guyana's population of approximately 705,000 includes ethnic groups of East Indian origin (about 49 percent), of African origin (about 32 percent), indigenous Indian (about 6 percent), mixed (12 percent), and European and Chinese (1 percent). About half of the population is Christian, with the remainder practicing Hinduism (33 percent), Islam (9 percent), and other religious beliefs (8 percent). English is the official language, although Guyanese Creole and indigenous Indian dialects are widely spoken as well.

BACKGROUND

A British colony since 1831, Guyana achieved independence in 1966 and became a Republic within the Commonwealth in 1970. Forbes Burnham ruled the country from 1964 to 1985, establishing an autocratic socialist regime characterized by the suppression of human rights and liberties. His successor, President Hugh Desmond Hoyte, eased the restrictions on freedom of the press and assembly, and promoted a market economy. However, the People's National Congress (PNC) continued to control Guyana's politics.

In 1992, Cheddi Jagan, a minority leader in Parliament, won the presidency in what were internationally recognized as the country's first free and fair elections. He was deeply commited to democracy. Following his death, Janet Jagan, Cheddi Jagan's wife, was elected president after the December 1997 national elections, and her party, the People's Progressive Party, won 55 percent of the seats in the Parliament. The PNC objected to the results of the elections and boycotted the Parliament for several months. Opposition supporters organized demonstrations, which occasionally turned violent, resulting in physical attacks on citizens and in one death.

The country has a multiparty political system with proportional representation. The constitution provides for the separation of powers and the independence of the judiciary. The president, who is directly elected by the citizens, appoints the members of the cabinet and the prime minister. Together,

they hold executive power. Legislative power rests in the indirectly elected unicameral national assembly.

Guyana is one of the poorest countries in the Western Hemisphere, despite the privatization program started in 1989. Per capita gross domestic product is estimated at approximately $800. Agriculture and mining are the most important economic activities, with rice, sugar, bauxite, and gold being the major exports. The support of international organizations and the promotion of a free market have resulted in economic growth in recent years. However, the lack of a skilled labor force, inadequate transportation, poor power distribution, and poor communications are major economic challenges.

Guyana is a member of the United Nations. It also played a significant role in the founding of the Caribbean Community and Common Market (CARICOM). Guyana cooperates in all major international agreements against narcotics trafficking, and actively supports U.S. law enforcement agencies.

HUMAN RIGHTS

The country's human rights record has been improving over the past few years. Nevertheless, there remain serious problems in a number of areas. The security forces have committed human rights abuses. Nine civilians died in 1999 following a violent confrontation with the police. The police also reportedly use torture and other forms of physical abuse against detainees under custody.

In a few cases, the relevant authorities have taken disciplinary action against the perpetrators, although they have rarely faced imprisonment. In general, the government does not thoroughly investigate alleged police abuses, and most cases go unpunished. Prison conditions are very poor, characterized by a lack of sanitation and medical care, inadequate nutrition, and overcrowding. Poor staff morale further aggravates the situation.

Although the constitution provides for the independence of the judiciary, lawyers and certain law enforcement officials have alleged that the government often influences the judges in criminal and civil cases. Pretrial detentions are common due to the inefficiency of the judicial system. There is no public defender system, so that the right to counsel is limited to those who can afford it.

The government generally respects freedom of speech and the press. However, it has held back the authorization to open private radio stations. The Ministry of Information, which previously censored the Internet and restricted its accessibility, lifted these restrictions in January 1999. The government does not effectively enforce constitutional provisions against discrimination based on sex, race, religion, disability, language, or social status.

Women are underrepresented in government, politics, and the private sector. Violence against women is widespread. Women are not legally protected in cases of sexual harassment in the workplace. Sexual abuse is rarely reported to the authorities because of the social stigma attached to victims of rape, incest, and spousal abuse.

Child welfare is seriously compromised by the inadequacy of the public health system. Although the government provides for education, in reality, many children are not attending school because they must contribute to their household income by working. Child abuse, including rape and incest, are common, and usually go unreported. Child labor in the informal sector and child prostitution are significant problems.

Discrimination based on ethnicity influences Guyana's society and political life. Historical patterns of social organization have become politicized, as the major political parties represent opposing ethnic groups. Incidents reflecting racial tensions between Indo-Guyanese and Afro-Guyanese are common. Indigenous Indians are also victims of societal discrimination in decisions affecting their lands, cultures, and traditions.

The constitution does not mandate provisions regarding accessibility for people with disabilities, and discrimination in employment and public services is common. Workers' rights to safety and health standards are not effectively enforced by the authorities because of a lack of resources within the Ministry of Labor. In addition, there is no legislation prohibiting anti-union discrimination.

The government cooperates with the United Nations High Commissioner for Refugees and other organizations in assisting refugee and asylum seekers. The government also cooperates with local human right groups and international organizations in their investigations of human rights abuses. The most active domestic non-governmental organization is the Guyana Human Rights Association.

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Haiti

Haiti is located in the Caribbean, on the island of Hispaniola. It has a population of approximately 7 million, of whom 99 percent are descendants of African slaves. Its capital is Port-au-Prince. Haiti is one of the poorest countries in the Western Hemisphere and has long been plagued by political violence.

BACKGROUND

Haiti was colonized by the French in the late seventeenth century. The French established valuable sugar plantations on the island using slave labor. In 1804, a slave uprising led to Haiti's independence. Since then its history has been characterized by political turmoil and endemic poverty. The election of François (Papa Doc) Duvalier in 1957 led to the creation of a harsh dictatorship. Duvalier helped to destroy what little economic or political promise Haiti might have had. Upon his death in 1971, his son Jean Claude (Baby Doc) Duvalier took over the country. Like his father, he ruled by violence and intimidation.

In 1986, public protests against Duvalier's rule forced him to flee the country. A series of military leaders ruled the country until, under international pressure, the government allowed free elections for a new president. Jean-Bertrand Aristide, a left-leaning Catholic priest, won those elections in 1990, but was overthrown by a military coup in 1991. Haiti descended into further chaos until 1994 when American troops landed and forced the Haitian army to accept Aristide as president. Backed by a United Nations presence, Aristide ruled until 1996. After Duvalier's death, a period of political chaos ensued, which was ended by United Nations (UN) intervention in 1994.

A constitution was drafted in 1997, but it has yet to be ratified and Haiti remains an unstable nation without strong democratic roots. Shortly after the military was disbanded in January 1995, the Haitian government created the Haitian National Police (HNP) to provide order and stability. The UN maintained a police mission in Haiti (called MIPONUH), which advised and trained the HNP, but it withdrew from the country in March 2000. Under the guidance of the UN, the HNP has gained valuable experience, but it still is weak, corrupt, and prone to human rights violations. Aristede was elected president again in 2000. Originally viewed as a human rights defender, he has been accused of using force to maintain his influence over the country.

HUMAN RIGHTS

Despite Haiti's movement toward representative government, its human rights record remains poor. As the UN mission drew to a close, the HNP displayed an increasing tendency toward excessive violence, which resulted in a sharp rise in extrajudicial killings. At the end of 1999, there were credible reports of sixty-six extrajudicial killings by HNP members. In what was perhaps the most grievous example, on May 28, 1999, HNP officers were called to an area near Port-au-Prince to investigate reports of banditry. The officers summarily executed eleven men on the spot. After the killings, six of the officers were arrested and the police chief, Jean Coles Rameau, fled to the Dominican Republic. He was later arrested at Santo Domingo Airport and returned to Haiti to stand trial for the killings. He was still in custody at the end of 1999, and the Haitian judiciary had assembled a three-magistrate panel to investigate the case. The investigation was still under way at the end of 1999.

On January 8, 1999, one off-duty HNP officer killed a civilian following a traffic dispute. He was detained and almost immediately released for what the examining magistrate characterized as "many other considerations." Two months later, another off-duty officer killed a youth who he suspected of stealing his wallet. He was charged with "theft of a weapon." Another policeman attacked with a rock a suspect he had just arrested, citing self-defense. In Port-au-Prince, on April 20, 1999, police killed Michelson Jean Philippe Guillame. Guillame had been a coordinator for the Fanmi Lavalas Party (former President Aristide's political party), and there were allegations that the killing was politically motivated. Although a committee was formed to investigate, the case remains unsolved.

Vigilante justice also remains a problem. Although most incidents occurred without the knowledge or sanction of the government, there have been reports that link vigilante brigades to the HNP and other government organizations. Brigades that included officers from the HNP were responsible for the killings of sixteen people and the disappearances of four others. In one of these instances, a man was seized in the emergency waiting room of a Port-au-Prince hospital and lynched. Lynching is in fact a typical form of local justice in rural areas outside of police control. The UN International Civilian Mission in Haiti (MICIVIH) recorded seventy-six deaths in forty-eight separate lynchings during 1999.

Police frequently beat suspects, and there have been reports of torture and other forms of abuse. Beating with fists, rocks, and belts constitute the majority of police brutality complaints. However, there have also been other documented forms of abuse, including burning with cigarettes, severe boxing of the ears, and choking. There were also sporadic reports of torture by electric shock, although none of these have been verified.

Prison conditions remain dire. Prisoners are held in overcrowded facilities and lack basic sanitation and health care. Food is scarce, and some prisons have experienced water shortages. There were four recorded deaths due to malnutrition in 1999. Prisoners whose diets were not supplemented by supplies from family members were at the greatest risk of starvation. Women prisoners are housed separately from men, although overcrowding prevents the separation of juveniles from adults, and non-violent from violent criminals. There has been a decline in reports of mistreatment by prison guards, although some degrading treatment continues. The Haitian government continues to offer unfettered

access to international and domestic human rights organizations.

The HNP continues to arrest and detain citizens arbitrarily. Citizens must contend with a corrupt and neglected judiciary. The right to a fair trial is guaranteed in the constitution, but this right is routinely violated in practice. There is a shortage of adequately trained judges and lawyers, and many suspects are detained for years without trial. If an accused person is tried and found innocent, there is no redress against the government for time served in prison. Haiti's Justice Minister has acknowledged the weaknesses of the judiciary and has introduced several committees to study the wide range of problems confronting the judicial system and make recommendations for its improvement.

The constitution prohibits arbitrary interference in citizens' family, home, or correspondence, however, the police have at times arrested the family members of suspects when the suspects themselves could not be located.

The government generally respects the rights to freedom of speech and freedom of the press. There are two French-language daily newspapers, *Le Nouvelliste* and *Le Matin*, both of which are privately owned and frequently critical of the government. During a demonstration on May 28, 1999, the police were filmed beating four journalists. In protest, approximately 150 journalists marched on HNP headquarters. The HNP formally apologized, although it did not investigate the individual officers involved. Foreign journalists are generally allowed to cover events without interference.

The government respects the rights of freedom of association, freedom of movement within the country and abroad, and freedom of religion.

According to women's rights groups, women are routinely raped and abused. These reports also indicate that women are not confident in the ability of law enforcement or the legal system to provide assistance. According to a UN report, 33 percent of Haitian women report having been raped or physically abused. Haitian law also discriminates against women. If a husband catches his wife in the act of adultery in the home, he is legally allowed to murder her, however, the law does not excuse a wife who murders her husband upon discovering him in bed in the act of adultury. Most women are relegated to farming, marketing, or domestic labor. Women who become professionals are rarely promoted to supervisory positions.

The government does not actively promote children's welfare. Rural families often send their children to the city to work as domestic help for more affluent city dwellers. The family receives payment for their child's labor. This practice is called *restavek* (literally translated as "lives with" in Creole), and has been cited by the UN as a form of slavery. An estimated 300,000 children, 85 percent of them girls, are victims of this practice. Society holds children in little regard, and the Ministry of Social Affairs has been reluctant to take any action in this area.

Human rights organizations generally operate without hindrance, although there were threats from unknown sources and sporadic violence against some groups throughout 1999.

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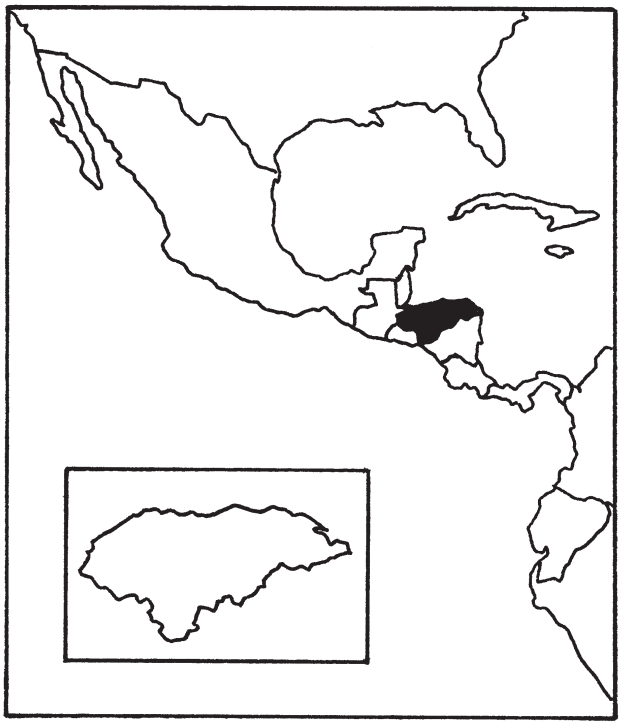
Honduras



The Republic of Honduras is located in Central America, between the Pacific Ocean and the Caribbean Sea. It is bounded by El Salvador, Guatemala, and Nicaragua. Tegucigalpa is the capital city. Its population of approximately 6 million is predominantly mestizo (Spanish-Indian mixed ethnicity) (90 percent). Other ethnic groups include indigenous Indians and people of European, Arab, African, and Asian origins. Roman Catholicism is the official religion, although a number of Protestant denominations constitute a religious minority. Spanish is the official language and is spoken by the majority of the population. Other languages include English and a number of indigenous Indian dialects.

BACKGROUND

Honduras is a democratic constitutional republic. The constitution dates back to 1982. The government consists of an executive branch (the president), a unicameral national congress, and an independent judiciary consisting of a Supreme Court of Justice and several lower courts. Honduras is a member of the United Nations (UN), the World Trade Organization (WTO), the Organization of American States (OAS), the Central American Parliament (PARLACEN), the Central American Integration System (SICA), and the Central American Security Commission (CASQ).

Honduras is one of the least developed countries in Latin America. Its market economy is based mainly on agriculture, with coffee and bananas representing its major exports. Honduras is rich in natural resources, but widespread slash-and-burn agricultural methods jeopardize Honduran forests. In the aftermath of Hurricane Mitch, which devastated the Honduran economy in 1998, economic growth has been led by strong performances in the manufacturing, financial services, utilities, and mining sectors.

Ancient Mayan culture flourished in Honduras for many hundreds of years until 1524, when Spanish Conquistador Hernan Cortes arrived and Honduras came under the control of the Captaincy General of Guatemala. Independence from Spain was achieved on September 15, 1821. Honduras was then briefly annexed to the Mexican Empire. In 1823, it joined the newly formed

United Provinces of Central America. After the 1838 collapse of the federation, restoring Central American unity was the major aim of Honduran foreign policy until after World War I. The history of Honduras following independence was characterized by nearly 300 internal rebellions, coups, civil wars, and changes of government.

After the overthrow dictator of Anastasio Somoza in Nicaragua in 1979, the Honduran military accelerated plans to return the country to civilian rule. A new constitution was approved in 1982, and the government began a program of close cooperation on economic, political, and military issues with the United States. Honduras became host to the largest Peace Corps mission in the world. During the 1990s, President Carlos Roberts Reina's "Moral Revolution" prosecuted corruption and pursued those responsible for human rights abuses in the 1980s. The Reina administration effectively institutionalized the rule of law in Honduras. In addition, it made successful efforts to increase civilian control over the armed forces. The national police was transferred from military to civilian authority. Reina's successor, President Carlos Roberto Flores Facusse, took office on January 27, 1998. He is Honduras' fifth democratically elected president since free elections were restored in 1981. Flores inaugurated programs of reform and modernization of both the government and the economy. These programs focused on improving the lives of poorer citizens while maintaining the country's fiscal health and improving international competitiveness.

Poverty is widespread in Honduras, and many children live in substandard housing.

HUMAN RIGHTS

The human rights record of Honduras has significantly improved since the police were separated from the military forces. However, human rights violations from members of both the armed forces and the police are still common. In particular, security forces have been responsible for a number of extrajudicial killings of presumed criminals as well as for establishing neighborhood death squads. A significant increase in violent crime in recent years has stimulated the growth of private, unlicensed guard services and volunteer groups patrolling their neighborhoods or municipalities to deter crime. The proliferation of private security forces has made it more difficult to distinguish between homicides perpetrated by security forces, private vigilantes, or common criminals. Mistreatment of those arrested and other abuses by the police continue to be a problem, despite the constitutional prohibition of torture. Police beatings of street children are also widespread.

Prison conditions are harsh and prisoners usually suffer from severe overcrowding, malnutrition, and a lack of adequate sanitation. A number of prisoners have been subjected to various abuses, including rape. The destruction of prison facilities and mass escapes are very common. Often, the mentally ill, as well as those suffering from tuberculosis and other infectious diseases, are housed among the general prison population because of the lack of alternative facilities. Prisoners without money routinely lack the most basic necessities and legal assistance.

Detainees do not always receive due process, and lengthy pretrial detention is common. The judicial system—which is often subject to outside influence—generally denies swift and impartial justice to prisoners awaiting trial. In contrast, Honduras' economic and political elites enjoy almost complete immunity from arrest or criminal convictions, despite widespread corruption among them. If the wealthy and influential are arrested, bail is almost always granted, ostensibly for medical reasons, while poor defendants are seldom able to take advantage of this provision.

The constitution provides for freedom of speech and of the press, of peaceful assembly and association, and for all forms of religious expression, and the government largely respects these rights in practice.

Although the constitution bans discrimination based on race or sex, human rights violations against women, children, disabled persons, and indigenous people are widespread. Violence against women is commonplace, and only a few shelters are maintained specifically for battered women. Women's educational and career opportunities are often limited because of cultural attitudes and family pressures.

Authorities are unable to prevent the abuse of street children and child laborers. According to government estimates, only half of the 8,000 street children have shelter on any given day. Many street children are routinely molested sexually and 40 percent are engaged in prostitution. Many street children are HIV-positive and some are addicted to sniffing glue. The number of street children has increased considerably due to Hurricane Mitch.

There does not exist any specific statutory or constitutional protection for disabled persons, and there is no legislation requiring access for disabled persons to government buildings or commercial establishments. The small communities of indigenous people have little or no ability to participate in decisions affecting their

lands, cultures, traditions, and the allocation of natural resources.

Although workers have the legal right to form and join labor unions, as well as to strike and bargain collectively, the government does not enforce effectively all labor laws. Child labor is very common, especially in rural areas and in the informal economy, as well as in the construction industry. According to the Ministry of Labor an estimated 350,000 children work illegally. Many of them work as street vendors or in small workshops to supplement the family income. Moreover, the Ministry of Labor does not enforce national health and safety laws effectively, and there is no provision allowing workers to leave a dangerous work situation without losing their job.

In the aftermath of Hurricane Mitch, the government temporarily suspended certain civil liberties as an emergency measure in accordance with the constitution. Civil liberties were restored after four weeks.

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Hungary

The Republic of Hungary is located in central Europe. It is bounded on the north by Czechoslovakia, on the northeast by the Ukraine, on the east by Romania, on the south by Yugoslavia and Croatia, and on the west by Austria and Slovenia. Budapest is the capital city. Hungary's population of slightly over 10 million includes Magyars (90 percent), Roma (4 percent), Germans (2 percent), Slovaks (1 percent), and others (1 percent). The official language is Magyar. About 68 percent of the population is Roman Catholic. The remainder are Calvinist (20 percent), Lutheran (5 percent), Jewish (1 percent), and other religions (3 percent).

In 1918, Hungary achieved independence from the Austro-Hungarian Empire and became a republic. During World War II, Hungary was occupied by the Soviet army. Hungary remained under Soviet influence until the end of the 1980s. In the wake of substantial political and economic reforms, Hungary slowly developed into a Western-style democracy. In 1990, the first free multiparty election was held.

The Republic of Hungary is a constitutional parliamentary democracy. The president is the head of state; he has few formal powers, but he can appoint the prime minister. The prime minister and the cabinet hold the executive power. The unicameral Parliament is comprised of 386 members who are elected every four years. The judiciary is independent.

Since the fall of the Soviet Union, Hungary has been one of the most economically active countries of the former Eastern block. The government has pushed through significant market reforms. However, backlashes from the former communist bureaucracy have heavily affected both agriculture and industry.

HUMAN RIGHTS

The constitution grants citizens all of the fundamental human rights. There are, however, problems in a number of areas. The police have committed human rights abuses, such as harassment, using excessive force, and beating suspects. In 1998, a total of sixty police officers were accused of abuse. Of these, approximately 10 percent to 15 percent were prosecuted and convicted. Workers' rights are generally respected.

Prison conditions meet minimum human rights requirements, but the prison system is working at over 40 percent of its capaci-

ty, and overcrowding is occasionally the cause of human rights infringements. Human rights monitors have encountered no difficulties inspecting such facilities. The law grants access to legal counseling to suspects. According to some reports, however, low-level authorities have sometimes denied this right.

Pretrial detention is limited to a maximum of three years and bail is not granted to suspects. The judicial system provides fair trials, although they are all quite lengthy. Free legal assistance is given to indigent citizens, though lawyers are not allowed to meet their clients until their first court appearance.

A 1998 public statement by Prime Minister Viktor Orban stated that some politicians and their families were secretly under surveillance in 1997. In the wake of this public statement, an investigation was opened and is still ongoing. Freedom of peaceful public assembly is usually granted, although it has been denied if such meetings are to be held near military facilities, government buildings, or embassies.

The Hungarian government generally enforces constitutional provisions against discrimination based on ethnicity or race. However, there have been some cases involving local authorities trying to force Roma to live in ghettos or to force them to leave the country.

Women generally occupy low positions in business and government, though they are well represented in the medical and teaching professions. Violence against women, especially spousal abuse, is widespread, although a large number of violations are not reported to the authorities. Most of the public buildings are not accessible to the disabled. However, a recent law mandates accessibility within ten years.

Hungary cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugee and asylum seekers. The government has granted asylum to refugees from the former Yugoslavia. The government has also estimated that around 60,000 immigrants, mostly from Romania, live in the country without legal status. Several humanitarian organizations operate freely in the country, and authorities are usually responsive to their requests.

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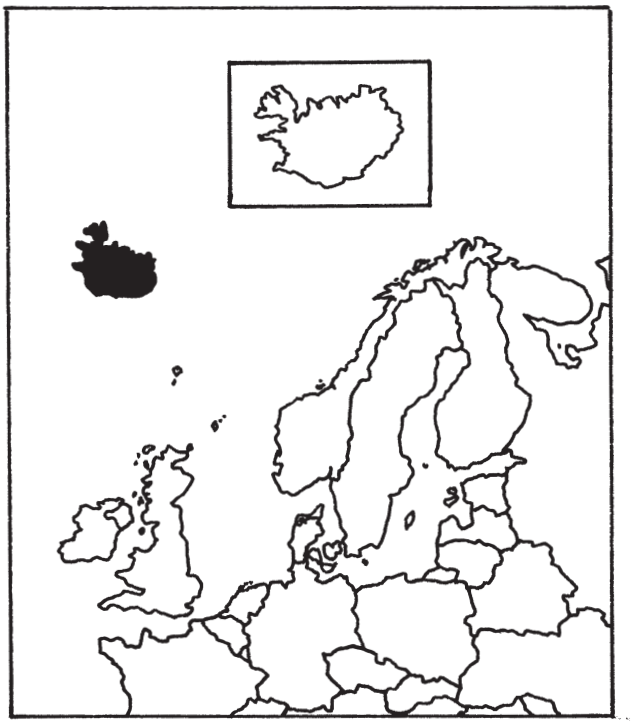
Iceland



The Republic of Iceland is an island located in the North Atlantic Ocean. It was settled during the ninth century, mostly by sea-borne Scandinavian warriors. Iceland became an independent republic on June 17, 1944, after having been under the rule of different Scandinavian monarchies since 1262. Iceland is a constitutional republic and a multiparty parliamentary democracy. The legislative and executive powers are vested in the president, the Parliament, and the government, with the president and the members of Parliament democratically elected. The official language is Icelandic and approximately 90 percent of the population belong to the National Lutheran Church. The population of Iceland is approximately 275,000.

Iceland has a written constitution dating from June 17, 1944, the historical roots of which can be traced to the Danish constitution of 1849. The constitution has been changed several times during the last forty years, but it was not until 1995 that a human rights chapter was introduced into it. In the amended constitution several important improvements were made. For example, equality of all before the law was introduced, as well as a prohibition against torture, ill treatment, and capital punishment. The constitution also asserted the right to freedom of expression and the equality of women and men.

Iceland belongs to various international organizations, including the United Nations (UN), the Council of Europe, and the North Atlantic Treaty Organization (NATO). Furthermore, Iceland is very active in Nordic cooperation. Iceland is a party to several international and regional human rights agreements. However, Iceland has a dualist legal system, meaning that international law and national law constitute distinct legal systems. Iceland adhers to the legal doctrine that international treaties do not assume the force of domestic law, but rather are only binding according to international law. The only human rights convention that has been incorporated into law in Iceland is the European Convention for the Protection of Human Rights and Fundamental Freedoms. In 1994, Iceland recognized the powers of the European Court of Human Rights to rule on human rights cases in Iceland.

HUMAN RIGHTS

It is generally assumed that Icelandic legislation is in harmony with the interna-

tional human rights instruments that have been agreed to by Iceland. In no instance has a comprehensive comparison been made between domestic legislation and international agreements to ensure conformity. There are rights enshrined in the United Nations' International Covenant on Civil and Political Rights that provide fuller protection of human rights than does domestic legislation, but these rights are not guaranteed for Icelandic citizens because of differences between national legislation and this international treaty.

In most instances legal protection of human rights in Iceland is adequate, but policies and allocations of funds to make those rights a reality is insufficient in many areas. This is especially evident with respect to economic, social, and cultural rights. In the amended constitution of 1995, there is little mention of social rights, and protection of essential economic, social, and cultural rights is absent. In fact, suggestions from Icelandic non-government organizations (NGOs) that economic, social, and cultural rights should be included in the human rights chapter of the amended constitution were dismissed. This position of the legislature contradicts the position Iceland has taken in the international forum, where it has been an advocate for the universality of human rights and the equal importance of economic, social, and cultural rights, and civil and political rights.

An example of an area in which implementation of legal rights is insufficiently guaranteed is the right to equal pay. In spite of the laws guaranteeing women the right to equal pay and the development of detailed action plans, little progress has been made, and women's salaries are still substantially lower than men's. Depending on their levels of education, women receive about two-thirds to three-quarters of the wages men receive, and the wage disparities are larger in the public sector than in the private sector.

The most important area in which comprehensive human rights legislation is lacking is with respect to the rights of foreigners in Iceland, both for immigrants and for refugees. The only law in force is the law on the surveillance of foreigners which dates to 1965, and it is insufficient to guarantee legal rights to immigrants and refugees. Furthermore, the law on the rights of foreigners to work in Iceland discriminates between foreigners coming from the European Economic Area (EEA) and those from other parts of the world. The law limits the rights of foreigners from other than EEA countries to work in Iceland, even though they may have permanent residence in Iceland and be married to an Icelandic citizen.

There is no formal human rights education in Icelandic schools and public debates on human rights issues are a relatively recent phenomenon. There is no history of systematic and gross violations of human rights in Iceland, which for the last few hundred years has been a very peaceful society that does not have a national army and has not suffered from civil wars or significant internal conflict. There is, therefore, relatively little awareness of human rights in Iceland, both among the public and the government. One area that has a special need to be addressed is racism. In 1999, one of the major daily newspapers in Iceland published a front page story expressing racist attitudes against Asian immigrants to Iceland.

Civil society and non-governmental human rights organizations are becoming more established in Iceland. Recently, two organizations were founded that are dedicated to working for the rights of immi-

grants in Iceland and to prevent racism. In 1999, the voices of NGOs are becoming stronger and are having a more positive effect in the area of human rights, particularly in the area of protecting the rights of vulnerable groups. It is anticipated that this development will continue in the coming years.

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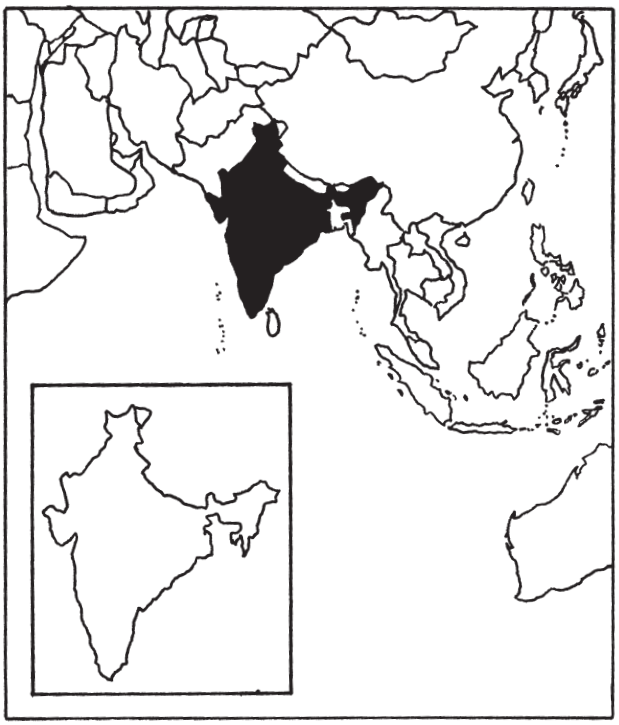
India



The Republic of India, which is located in South Asia, is formed by twenty-five states and seven union territories. Although India's territory occupies only 2.4 percent of the world's land area, it supports over 15 percent of the world's population. India has an estimated population of more than 1 billion. Over the course of thousands of years, India has been exposed to a variety of peoples and cultures through innumerable invasions from the Iranian plateau, central Asia, Arabia, Afghanistan, and the West. The resulting ethnic mix features Indo-Aryans (72 percent), Dravidians (25 percent), Mongoloids (2 percent), and others. Each of these groups is divided into many subsidiary ethnic, religious, and cultural subgroups.

India's social and political organization is greatly determined by religion, language, and caste. Although 83 percent of its population is Hindu, India has more than 120 million Muslims, one of the largest concentrations in the world. The population also includes Christians, Sikhs, Jains, Buddhists, and Parsis. Hindi is the most widely spoken language, although the government has recognized sixteen languages as official, including English. The caste system is a central feature of Indian society. It traditionally numbered four main castes, plus an additional group known as outcastes, often referred to as "dalits," or the oppressed. Thousands of subcastes also exist, and they include the majority of India's population.

HISTORICAL BACKGROUND

The last four centuries of India's history were dominated by British colonialism. In the early 1600s, the British opened permanent trading stations in Madras, Bombay, and Calcutta. Over the next hundred years they expanded their influence throughout most of present-day India, Pakistan, and Bangladesh.

Efforts at self-government began in the late 1800s, when Indian councilors were appointed to advise the British viceroy, and several provincial councils with Indian delegates were established. In 1920, Mahatma Gandhi began recasting the Indian National Congress from just a political party to a mass movement dedicated to achieving complete independence from Great Britian. Led by Gandhi, the Congress Party used parliamentary methods, non-violent resistance, and non-cooperation to force the British to leave.

On August 15, 1947, India became an independent dominion within the British Commonwealth. British India was partitioned into Muslim Pakistan in the north, and Hindu India in the south. After independence, the Congress Party—the party of Mahatma Gandhi and Jawaharlal Nehru—ruled India under the influence first of Nehru, then under that of his daughter Indira Gandhi (no relation to Mahatma Gandhi), and later under that of his grandson Rajiv. India's democracy was real, but it was dominated by the Nehru family's widespread popularity.

Rajiv Gandhi's government was brought down in 1989 by allegations of corruption. He was later assassinated on May 27, 1991, by Tamil extremists from Sri Lanka while he was campaigning in Tamil Nadu. The 1991 elections were won under the leadership of P.V. Narasimha Rao—the first Congress Party prime minister in thirty years not connected to the Gandhi/Nehru family. Rao's government served for a period of five years, during which a gradual process of economic liberalization and reform began, along with a transformation of India's domestic politics.

The March 1998 elections were won by the Bharatiya Janata Party (BJP), which formed a coalition with several regional parties. The BJP is a Hindu nationalist party that preaches a doctrine of Hindu chauvinism. Its victory may portend changes for the previously pluralistic nation (although many Indians seem to have voted for the BJP less because of its Hindu nationalism and more because of the Congress Party's political corruption).

GOVERNMENT AND ECONOMY

According to the 1950 constitution, India is a "sovereign, socialist, secular, democratic republic" and has a federal form of government. The bicameral federal parliament consists of the Rajya Sabha (Council of States) and the Lok Sabha (House of the People). The government exercises its broad administrative powers in the name of the president, whose duties are largely ceremonial. The president and vice president are elected indirectly for five-year terms by a special electoral college. The national executive power is centered in the Council of Ministers (the cabinet), led by the prime minister. The judicial system resembles that of Anglo-Saxon countries. The Supreme Court consists of a chief justice and twenty-five other justices, all appointed by the president on the advice of the prime minister.

India boasts the world's fifth-largest economy in terms of purchasing power parity, despite its relatively low gross national product (GPD). It is currently undergoing a transition from a government-controlled economy to one that is largely market oriented. The private sector dominates in agriculture, most non-financial services, consumer goods manufacturing, and some heavy industry. Income distribution is still very unequal. About 62 percent of the population depends directly on agriculture—wheat, rice, coarse grains, oilseeds, sugar, cotton, jute, and tea—and more than 35 percent of the population lives below the poverty line. A large and growing middle class of 150 million to 200 million has disposable income for consumer goods. Industry—textiles, jute, processed food, steel, machinery, transport equipment, cement, aluminum, fertilizers, mining, petroleum, chemicals, and computer software—and the service sectors are growing in importance and account for 29 percent and 42 percent of GDP, respectively.

HUMAN RIGHTS

Despite extensive constitutional and statutory safeguards, there are many human rights abuses in India, some of which can be traced to intense social tensions, secessionist movements, and security forces' attempts to repress these elements. Extrajudicial executions and political killings—including deaths while in custody—as well as excessive use of force, disappearances, torture, and rape by security forces have been reported, particularly in Jammu and Kashmir, whose judicial system has been disrupted by the armed conflict between government forces and armed separatist groups. Impunity, or freedom from fear of punishment has been and remains a serious problem in such areas. Despite the record of abuses, the Indian defense minister told Parliament that during the first half of 1998 (when many of the abuses occurred), no members of the army had been prosecuted and punished for any of these crimes, nor had any compensation been paid to the victims or their families.

The dispute over Jammu and Kashmir stems from the desire of many Kashmiris to be free from Indian control, or to merge with Pakistan. (The population of Jammu and Kashmir, like that of Pakistan, is heavily Muslim.) Indian nationalists are loathe to let this region secede, and have even fought battles over it, part of which is now under Pakistani control.

The Jammu and Kashmir Disturbed Areas Act of 1990, which has been in force in several districts in Andhra Pradesh, gives police extraordinary powers of arrest and detention. Police officials in these areas rarely if ever are held accountable for human rights abuses. According to human rights groups, security forces have also kept prisoners in incommunicado detention, and such missing persons have often been found dead. Thousands of people are held by the military and paramilitary forces in long-term, unacknowledged detention in interrogation centers and transit camps in Jammu and Kashmir, as well as in the northeast. These camps are supposedly intended for only short-term confinement. Human rights groups are afraid that many of these unacknowledged prisoners are subject to torture and extrajudicial killing.

A number of reports have documented that police throughout the country often do not file required arrest reports. Hundreds of unsolved disappearances occur, and relatives often claim that individuals taken into police custody and are never heard from again.

Although the law prohibits torture and confessions extracted by force are generally inadmissible in court, torture is common throughout the country. Authorities systematically use torture during interrogations both for punishment and to extort money. Rape is also common as part of the broader pattern of custodial abuse. Although explicit guidelines exist on the arrest, search, and police custody of women, rape still occurs systematically.

Prisons operate above capacity and are often severely overcrowded because the court system itself is overloaded. The result has been the detention of thousands of persons awaiting trial for periods longer than they would receive as sentences if convicted. Prisoners may be held for months or years before obtaining a trial date. Furthermore, food and medical care in prisons are inadequate.

The government supposedly respects the right of freedom of religion, but in the effort to gain support of fundamentalist Hindus, the persecution of religious minorities—particularly of Muslims in Kashmir and of Sikhs in Punjab—has been de facto national policy for decades. Since the mid-1960s

Traditional marriage ceremony of children in India. Child marriage is common in some communities.

India has refused to admit new resident foreign missionaries. In addition, tension between Hindus and Muslims continues to pose a challenge to the secular foundation of the state. In 2000, as in most earlier years, there were several reports documenting attacks on Christians, Muslims, and other religious minorities, especially in the Gujarat state. Many of the attacks were allegedly carried out by members of militant Hindu groups.

Citizens may emigrate without restriction and enjoy freedom of movement within the country except in certain border areas where special permits are required. The government prohibits the foreign travel of some government critics, especially those advocating Sikh independence. On occasion, human rights activists in Jammu and Kashmir, fearing threats by militants and security forces, have been unable to move around the state to document human rights violations. International human rights groups have had difficulty in obtaining visas to visit India for research purposes.

Despite laws designed to prevent discrimination based on ethnicity, religion, and language, other laws coupled with social and cultural practices, promote discrimination. According to the National Commission for Scheduled Castes and Scheduled Tribes, caste clashes are common in Uttar Pradesh, Bihar, and Tamil Nadu. In general, strong prejudice still exists against dalits—also called "untouchables"—by the members of India's other castes. While the

government officially condemns racist attacks on dalits, they often do little to prevent them. Dalits today, like African Americans in the United States in the 1950s, still do not have equal political and social standing with higher-caste Indians.

Although many laws protect the rights of women—including the Equal Remuneration Act, the Prevention of Immoral Traffic Act, the Sati (widow-burning) Prevention Act, and the Dowry Prohibition Act—the government often fails to enforce these laws, especially in rural areas where traditions remain deeply rooted. Domestic violence is very common and dowry disputes pose a serious problem. In the typical dispute, a groom's family members harass a woman whom they believe has not provided a sufficient dowry. This harassment often results in the woman's death, which family members usually try to portray as a suicide or kitchen accident. Prostitution is widespread, and many indigenous tribal women are forced into prostitution. According to women's rights organizations and non-governmental organizations, more than 7,000 women and children are brought into the country annually from neighboring states for the sex trade. A 1996 study documented that organized crime plays a major role in this trade, and that those women and children are subject to extortion, beatings, and rape.

Child prostitution also constitutes a major problem. There are an estimated 500,000 street children nationwide.

The traditional preference of Indian families for male children continues. Although a 1994 law prohibits the use of amniocentesis and sonogram tests for sex determination, the tests are widely misused for this purpose, and termination of a disproportionate number of pregnancies with female fetuses occurs. In India, as in China, there are more men than women because infant girls are either aborted or killed at birth.

The rights of indigenous groups in eastern India are often ignored. These people have been deprived of their land, suffer from discrimination and harassment, and are often subject to torture and arbitrary arrest. Mob lynchings, arson, and police atrocities against tribal people occur in many states. There has been encroachment on tribal land throughout eastern India by both illegal immigrants from Bangladesh and businesses that have removed forest and mineral products without authorization. Moreover, persons from other backgrounds often usurp places reserved for members of tribes and lower castes in national education institutions.

Enforcement of safety and health standards in the workplace remains lax. The law does not provide workers with the right to remove themselves from work situations that endanger their health and safety without jeopardizing their continued employment.

Freedom of the press exists in India. Newspapers and magazines regularly publish investigative reports on human rights violations and allegations of government wrongdoing. In contrast, television and radio, which are government monopolies, are frequently accused of manipulating the news to benefit the government. A government censorship board reviews films before licensing them for distribution and deletes material that portrays the government in an unfavorable light.

In recent years, India has made minimal progress in resolving its human rights problems. In Punjab, the serious abuses of the early 1990s were acknowledged and condemned by the Supreme Court. Ongoing prison visits to Jammu and Kashmir by

the International Committee of the Red Cross have demonstrated at least some government openess on human rights problems. However, researchers for international human rights organizations such as Amnesty International and Human Rights Watch are not permitted to visit certain areas of the country where human rights violations are the worst.

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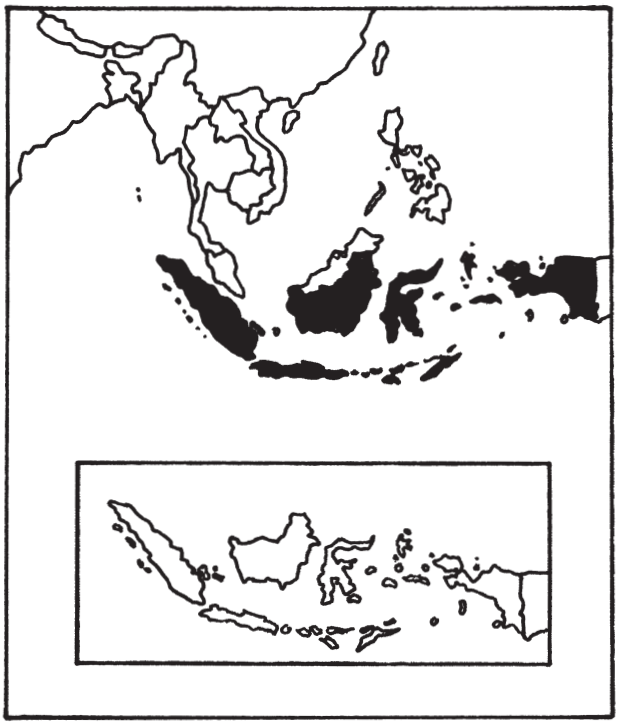
Indonesia



The Republic of Indonesia is located in Southeast Asia. It is made up of 13,500 islands situated between the Indian and the Pacific oceans. Jakarta is the capital city. Indonesia has a population of approximately 200 million people. Ethnic groups include Javanese (45 percent), Sundanese (14 percent), Madurese (7.5 percent), coastal Malays (7.5 percent), and others (26 percent). Bahasa Indonesian is the official language, although each group also speaks a local language. The majority of the population is Muslim (87 percent), with the balance being Protestant (6 percent), Roman Catholic (3 percent), Hindu (2 percent), Buddhist (1 percent), and other religions (1 percent). In addition, the government permits the practice of the traditional beliefs of Aliran Kepercayaan.

BACKGROUND

Indonesia became a Dutch colony in the seventeenth century, with the exception of East Timor, which remained under Portuguese rule until 1975. The Japanese occupied Indonesia during World War II and, after their surrender to the Allies in August 1945, a small group of Indonesians proclaimed independence and established the Indonesian Republic. A provisional government and constitution were adopted until elections could be held. Four years of negotiations and warfare with the Dutch resulted in the recognition of an independent Indonesian government.

President Sukarno, a former leader of the independence movement, ruled from 1945 to 1965. When the constitutional assembly failed to draft a new constitution, Sukarno imposed an authoritarian regime and established a foreign policy characterized by non-alignment with either the Western or the Soviet blocks. However, he also moved closer diplomatically to Asian communist states and supported the domestic Indonesian Communist Party, which achieved control of many cultural and civic organizations. Under his rule, many human rights violations were committed.

In 1967, General Suharto overthrew Sukarno and changed Indonesian domestic and foreign policies. As president, Suharto pursued closer ties with the United States and moved Indonesia in the di-

East Timorese woman in a highland village. In the background are Indonesian soldiers. December 1993.

rection of a capitalist-style economy. As a former head of the armed forces, he maintained an authoritarian political system with the support of the military, but he was also open to advice from Western economic experts. In 1975, Indonesian troops forcibly occupied East Timor. The United Nations did not recognize the occupation of this territory by Indonesia. The East Timorese resisted Indonesian rule, and in the years that followed, serious human rights violations were committed in East Timor, including extrajudicial killings, torture, and "disappearances."

The 1997 Asian financial and economic crisis exacerbated the already precarious economic and political situation in Indonesia. Student protests and civil unrest forced Suharto to resign in May 1998. His successor, B. J. Habibie, immediately implemented an economic plan based on international financial support, and took political actions aimed at easing some of the restrictions imposed on civil liberties. In addition, he announced that the people of East Timor could decide their own future.

In June 1999, elections for the national, provincial, and subprovincial Parliaments were held in what was internationally recognized as a free and fair climate. Indonesia, Portugal, and the United Nations signed Tripartite Agreements under which the East Timorese people could vote to accept or reject autonomy within Indonesia. The balloting took place on August 30, 1999, and the majority of the East Timor population voted in favor of independence from Indonesia. The United Nations had been given provisional authority before the transition was completed. However, after the results were announced, pro-Indonesian armed groups, backed by the Indonesian military, committed numerous human rights abuses in revenge for the East Timorese vote to leave Indonesia.

Although increasingly dominated by the private sector, the government has always played a significant role in the economy of the country. Indonesia still suffers from the Asian financial crisis of mid-1997. Massive unemployment, widespread corruption, extreme poverty, and food shortages are among the most significant problems. Others symptoms of social breakdown include a rise in crime and looting. Economic reforms are being attempted, financed largely by private investment, both foreign and domestic.

Indonesia has been a member of the United Nations since 1950. Although maintaining a position of non-alignment, Presi-

dent Habibie has sought constructive relations with many nations including the United States, Western Europe, Australia, and Japan. Indonesia has participated in the Association of Southeast Asian Nations since its founding in 1967.

The 1945 constitution provides for a limited separation of powers. The president—the dominant government and political figure—is elected by the People's Consultative Assembly, which consists of 500 members of the House of Representatives, 135 provincial representatives, and sixty-five representatives appointed by social and community groups. Although the constitution stipulates its independence, the judiciary is subordinated to the executive and the military. Judges are usually paid by the executive branch, and their low salaries encourage widespread corruption. Bribes can influence prosecution, conviction, and sentencing in civil and criminal cases. Under a doctrine known as "dual function," the military assumes a sociopolitical as well as a security role.

HUMAN RIGHTS

The nation's human rights record continues to be extremely poor, especially in East Timor, where the situation became critical following the August 1999 ballot. Politically related extrajudicial killings by security forces are common in areas where separatist movements are active—East Timor, Aceh, and Irian Jaya. Mass graves have been found in Aceh. The police often employ deadly force when dealing with suspects or alleged criminals.

Disappearance is also very common, and, although the criminal code prohibits torture as well as other degrading forms of punishment, in practice security forces continue to employ torture as well as other abusive techniques. Before the recent withdrawal of Indonesian troops from East Timor, security forces regularly detained civilians for interrogation in extralegal military detention centers, tortured them, and released them after several days.

The criminal code contains provisions against arbitrary arrest and detention, but authorities regularly violate them. In addition, authorities sometimes make arrests without warrants and often violate the law requiring that families of detainees be notified promptly of their detention. The authorities regularly extend periods of detention. In areas where guerrilla movements are active, people have been detained without warrants, charges, or court proceedings. Prisoners are often denied a fair trial.

Freedom of speech is limited in Indonesia. People are prosecuted every year for peacefully expressing views contrary to those of the government. Among prisoners serving sentences for subversion are members of the banned Communist Party of Indonesia, Muslim militants, and those convicted of subversion in Irian Java, Aceh, and East Timor.

Although judicial warrants for searches are generally required, security forces regularly make forced entries, engage in surveillance of persons and residences, and monitor local and international telephone calls without legal restraint.

Despite the constitution's provisions for freedom of the press and speech, some serious restrictions and monitoring are still common, although the government's respect for these rights has recently improved. As far as foreign publications and videotapes are concerned, a review of significant amounts of such material by government censors still occurs. For example, most books by former political prisoner Pramoedya Ananta Toer are banned.

The government significantly restricts the practice of free assembly, although it has eliminated the permit requirements for some types of public meetings. The constitution also provides for freedom of association, but the government places significant controls on the exercise of this right. According to the 1985 Social Organizations Law, all organizations, including recognized religions and associations, are required to adhere to the ideology of "Pancasila" (the official belief system of Indonesia, which mixes religion, civic duty, and nationalism together). By limiting political activity, this provision is designed to inhibit groups from engaging in democratic political activities that are believed to act against government ideology. Such organizations are usually disbanded by the authorities.

The government generally respects religious freedom and the practice of five out of six officially recognized religions—Islam, Catholicism, Protestantism, Buddhism, and Hinduism. Persons from other religions generally have difficulty having their marriages officially recognized. Because the first tenet of Pancasila is belief in one supreme god, the government forbids atheism. A number of religions are banned, including Jehovah's Witnesses, Bahai, Confucianism, and the messianic Islamic sect Darul Arqam. Furthermore, the government closely monitors Islamic sects deviating from orthodox tenets, and strongly opposes Muslim groups advocating an Islamic state. Minority houses of worship often become targets of damage and destruction during riots. Proselytizing by recognized religions in areas heavily dominated by another recognized religion is generally discouraged because it is viewed as potentially disruptive. Foreign missionaries are usually allowed to spend only a limited number of years in Indonesia.

The Indonesian government restricts movement by citizens and foreigners to and within parts of the country. Population movement to crowded cities is closely monitored. The government sponsors a transmigration program seeking to resettle people from densely populated areas to sparsely populated areas outside Java. Special permits are required to visit certain parts of the country, such as Irian Jaya, and some former prisoners are still required to obtain permission if they want to move.

Although the constitution stipulates equal rights and obligations for all citizens, both native and naturalized, there is no explicit law against discrimination based on gender, race, disability, language, or social status.

According to marriage law, the man is the head of the family. Further, cultural norms dictate that problems between husbands and wives are private matters, and rape of a wife by a husband is not considered a crime. Social changes brought about by rapid urbanization as well as by the economic crisis have significantly aggravated the problem of domestic violence. Domestic violence is believed to be seriously underreported. Similarly, rape is significantly underreported due to the social stigma attached to the victim. Harassment is not a crime, although sexual harassment charges can damage a civil service career. Trafficking in women and temporary contract marriages with foreigners are common, and prostitution is widespread. Female domestic servants are particularly vulnerable to exploitation and abuse. The majority of women face economic discrimination. They generally receive lower wages than men, and are represented disproportionately at the bottom of the socioeconomic scale. In addition, women often are not given the extra benefits and salary that are their due

when they are the head of a household. Women taking maternity leave are often dismissed or replaced, and some companies require that women sign statements that they do not intend to become pregnant. A disproportionate number of women experience illiteracy, poor health, and inadequate nutrition.

Provisions on child protection have not yet gone into effect. Child labor is very common, and the number of working children and street children has increased as a result of the economic crisis. Many children work under hazardous conditions. Child prostitution and other forms of sexual abuse are a serious problem, and the government has made strong efforts to prevent this. Because a separate criminal justice system for juveniles does not exist, juveniles are often imprisoned with adults. The ceremonial practice of female genital mutilation in babies or young girls still occurs in some parts of Indonesia, although it appears to be declining.

The disabled face considerable discrimination in employment as well as in other areas, such as access to education. As of 1999, virtually no buildings or public transportation had been designed to include accessibility for the disabled.

The rights of indigenous people are often violated, especially in the case of the government's migration program which, according to critics, threatens indigenous cultures and sparks social envy. Migrants are often settled on land of disputed own-

A Jakarta slum. The children are playing near a toilet that is built over the canal.

ership, causing significant tensions to arise. When indigenous people clash with commercial/private sector development projects, wealthy developers usually win.

The constitution provides for the right of association and collective bargaining, although the Department of Manpower supports unions only within the context of the national ideology, Pancasila.

Domestic human rights organizations are active in pressing the government to respect human rights, although they are still subject to monitoring by authorities. The government appointed National Human Rights Commission has been active in examining reports of human rights violations, although it lacks enforcement powers. By contrast, foreign-based investigations and criticism of alleged human rights violations are generally viewed as interfering in the internal affairs of the government, and foreign human rights observers are harassed.

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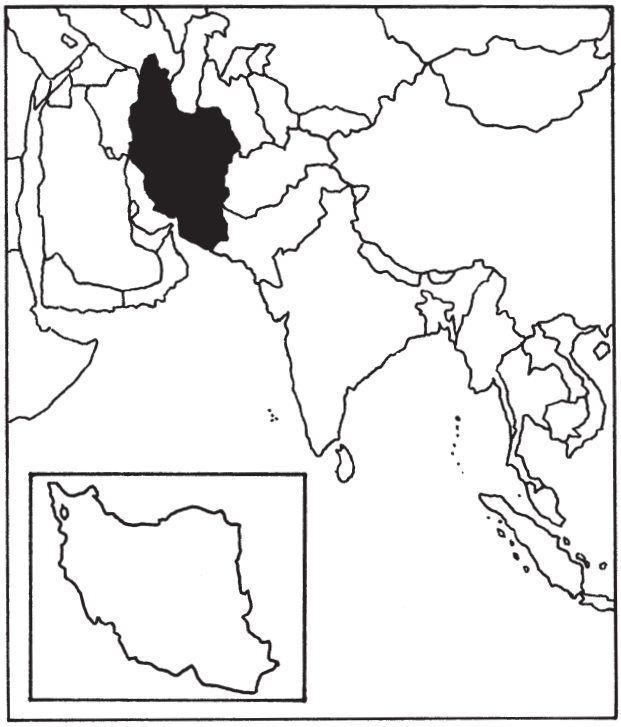
Iran



Iran is a Middle Eastern country that is bordered by the Persian Gulf on the south and the Caspian Sea on the north. It is slightly larger than Alaska. It has common borders with Iraq, Turkey, Armenia, Azerbaijan, Turkmenistan, Afghanistan, and Pakistan. The climate is mostly arid or semiarid, although it is subtropical along the Caspian coast. The terrain is rugged. Only 10 percent of the land is arable, with pastures, forests, and woodlands covering another 35 percent. The other 55 percent of the land is covered by deserts.

The country has a population of 65 million, 34 percent under fifteen years of age. The population growth rate is 2.4 percent. Just over half of the population is Persian, with Azerbaijanis forming the largest minority (24 percent), and Kurds, Arabs, Lurs, Balochies, and Turkmens forming other sizeable minorities. Nearly 99 percent of the population are Muslim (89 percent Shi'a), with Zoroastrians, Jews, Christians, and Bahais making up the other 1 percent.

BACKGROUND

Since the revolution against the Shah of Iran in 1979, the country has been run as the Islamic Republic of Iran, a theocracy with a legal system based on traditional Islamic law. Opposition and secular political groups have been systematically repressed over the years. Many disbanded and were forced to go underground or move out of the country. Among the most notable of such groups (now largely active only outside Iran) are the Mojahedin-e Khalq Organization (MKO), the People's Fedayeen, and the Democratic Party of Iranian Kurdistan. MKO had been locked in a fierce armed struggle with the government since 1981, inflicting heavy losses by means of bombings, assassinations, and armed incursions. It also suffered the bulk of the government's repression in the form of mass executions of thousand of its members and supporters. It is now based in the neighboring country of Iraq, with a regular army of several thousand equipped with heavy armor.

Iran has some democratic forms—an elected Parliament and president—but most of the political power is in the hands of the Muslim clergy, led by a senior ayatollah (religious leader). It was the influence of the first ayatollah, the Ayatollah Khomeini, that inspired the overthrow of the Shah of Iran in 1979. Khomeini ruled as Iran's religious

leader until his death in 1989, when he was replaced as supreme religious leader by the Ayatollah Khamenei.

HUMAN RIGHTS

The early years after the 1979 revolution were marked by great political upheavals and a devastating war with Iraq that lasted for eight years. Shortly after the revolution, the religious autocracy of the ayatollahs came into power and began clamping down on all opposition parties. Severe restrictions on the rights of women and various minorities were initiated, and the death penalty was introduced for crimes such as apostasy and unlawful sexual relations. Physical punishments, such as flogging, amputation, and stoning to death, were introduced for a variety of crimes from drinking alcohol to theft and illicit sexual relations.

Political executions in the early 1980s numbered as high as thousands a year. Moreover, large-scale executions were carried out for narcotics crimes. In 1988, soon after the end of Iran-Iraq war, an estimated 2,500 people were executed—clearing political prisoners from prisons throughout the country. Over the years, many citizens have also been executed for their religious beliefs, including hundreds of followers of Bahai, a religious minority not recognized by the government. Though the number of executions greatly decreased in the 1990s, Iran has consistently maintained its position among the top five countries having the highest number of executions. Almost all executions have been carried out after summary trials with no defense lawyers present. Torture of political prisoners has been widely used and many deaths under torture have been reported.

Internationally, the clerical government was also involved in acts contrary to international laws and human rights rules. Less than a year after the revolution, in November 1979, fifty-two members of the United States embassy staff were taken hostage in Tehran and kept imprisoned, with the complicity of the government, for 444 days. In February 1989, Ayatollah Khomeini, the supreme leader, pronounced a death sentence on Salman Rushdie, the British author of the novel *The Satanic Verses*, and others involved in the publication of his book. Soon afterward, the Japanese translator of the book was assassinated and both its Italian translator and its Norwegian publisher were injured in terrorist attacks. Over the years, scores of Iranian dissidents have been slain in various countries in Europe, North America, and Asia in what is generally assumed to be the work of government-sponsored hit squads. In 1996, a court in Berlin, Germany, implicated four top Iranian officials—the ayatollah, the president, and the intelligence and foreign ministers—in the 1992 assassination in a Berlin restaurant of four leaders of an opposition group.

Because of its abysmal human rights record, both internally and internationally, Iran has been the subject of constant criticism by various international bodies. It is the government most criticized by the United Nations. The United Nations Commission on Human Rights (UNCHR) has condemned Iran's human rights record in its annual sessions every year for the last nineteen years. In 1984, it appointed a special representative to report annually on the situation of human rights in Iran. The mandate of the representative has been extended every year since then. Over the last twenty years, repeated requests by human rights bodies such as Amnesty International to visit Iran have all been denied, and even the UNCHR representatives have been

allowed to enter the country only a few times over the last fifteen years.

However, since May 1997, when the reformist Mohammad Khatami was elected president, a new atmosphere of openness has been evident. Scores of new publications have been licensed and subjects hitherto deemed untouchable have been brought into the public domain. Limited political activities are allowed for those who do not oppose the clerical regime. In February 1999, the first elections for local and municipal councils were held. Nevertheless, despite Khatami's reforms, most power still resides with the Muslim clergy and their leader, the Ayatollah Khamenei.

WOMEN

Women were one of the groups to suffer the most from the creation of an Islamic republic in Iran. According to Iran's Muslim clergy, women should be treated as second-class citizens, with no political rights and few economic rights. Severe restrictions on women are still in place. Iranian women suffer from a variety of discriminatory and restrictive laws. They must follow a very strict set of dress codes. They are discriminated against in jobs, education, inheritance, marriage, and justice. The law values a woman's testimony in courts at half that of a male's testimony and rates her murdered body, when it comes to paying compensation for her or death, at half that of a man's body.

Laws governing marriage are among the most regressive in the world in terms of discrimination against women. While males are allowed to have up to four wives at a time in permanent marriage, and an unlimited number of women in what is known as "temporary" marriage, strict monogamy is expected from women. Any woman who deviates from this traditional law may be brutally punished by being stoned to death publicly—the officially sanctioned and frequently executed punishment for extramarital affairs.

Inside marriage, the man is given a free hand in controlling his wife or wives. Marital rape is sanctioned (as no consent is required for sexual relations inside marriage) and even wife beating may be tolerated. A woman's freedom of movement and choice of jobs may be restricted by her husband, and his permission is required for obtaining official travel documents. The law gives very few rights to women in sharing the decisions of married life and with regard to the custody of children.

In divorce, too, men have almost a free hand. The grounds on which a man can divorce his wife are almost unlimited, while only in very unusual circumstances can a woman file for divorce. Divorce law also inflicts huge financial and emotional blows on the woman. The woman has to forfeit almost all financial claims if she files for divorce, while the settlement she receives if the divorce is initiated by the man is still very limited. Women who divorce are usually deprived of the custody of their children. Within and outside marriage, even the child's grandfather is given priority over the child's mother in custody matters.

The plethora of discriminatory laws against women has created favorable conditions for widespread abuses practiced against women. Women have no effective recourse to the law in cases where they are abused, beaten, or raped. Many incidents of rape outside marriage go unreported because of the justifiable fears of the victim of being "dishonored" and cursed, or even murdered by members of her own family and friends. She may also be prosecuted by the government, and brutally punished

by whipping or by being stoned to death, if she is judged by the court as being a willing partner in the rape.

RELIGIOUS DISCRIMINATION

Iran practices an official policy of discrimination on the basis of religion. Islam is regarded as the official religion. Some minority religions such as Judaism and Zoroastrian are also recognized and tolerated, but others are not.

As a result, followers of the largest minority religion in Iran, the Bahai, with an estimated population of up to 300,000, have been systematically persecuted as renegades. They are denied the most basic rights in jobs, education, and property, and have been executed on various charges ranging from espionage to apostasy.

Followers of other minority religions have been subjected to discrimination and persecution, though on a smaller scale. Elections to the "Islamic" National Assembly are carried out on religious lines, with followers of recognized minority religions allowed only to vote for a candidate of their own faith. Scores of Jews have been persecuted and jailed on charges of spying for Israel and some have been executed. A number of Christians have also been persecuted or executed on religious charges, such as trying to convert Moslems to Christianity. Even Sunni Muslims, (population 10 percent), are discriminated against in government jobs and education.

POLITICAL AND SOCIAL FREEDOM

Although a degree of political freedom has been in evidence since the election of President Khatami, this is largely limited to groups loyal to the principle of the supreme authority of the religious leader. Other political parties, brutally suppressed in the early years after the revolution, are still banned.

The press, though more vociferous in reporting and expressing opinions than it was under the Ayatollah Khomeini, is nevertheless tightly regulated and continuously harassed by the clergy-dominated judiciary. A spate of political killings in late 1998 led to the revelation that they were organized and carried out by top officials of the information ministry.

Tensions between the reformist president and his conservative opponents in the judiciary and Parliament have at times threatened the fragile state of limited political openness. Extrajudicial killings and other attacks carried out by the unofficial Hizbollah (Party of God) against the political and secular opposition have inhibited many from organizing political opposition to the regime.

Iran's civil and criminal laws are generally based on Shari'a, traditional Islamic law. These cover large areas such as strict dress codes (especially for women), what one is allowed to eat or drink, sexual behavior, and even what one may think and believe in. Apostasy is regarded as an offense against God, and people have been punished by death for this crime. All sexual activities outside marriage are deemed criminal, with punishments ranging from flogging to death. Adulterers (mostly women) are stoned to death. Homosexuality is also a capital crime punishable by death.

Religious affiliation and gender are also relevant factors in the punishment of a criminal. Sexual relations between a unmarried couple are punished by flogging—except when the man is a non-Muslim and the woman is a Muslim; in such a case the

man is executed. Also, murder is punished by death, except when a Muslim kills a non-Muslim, in which case, the punishment is usually less severe.

CURRENT HUMAN RIGHTS VIOLATIONS

As late as 2000, according to Amnesty International, hundreds of political prisoners, including prisoners of conscience, were being held. Reports of torture and ill treatment continued to occur and judicial punishments of flogging and stoning continued to be imposed. Reports also suggested that possible "disappearances" and extrajudicial executions had occurred. Amnesty International recorded 165 executions, including at least one prisoner of conscience. However, the true number may be considerably higher.

Political prisoners continued to receive unfair trials. Detainees were reportedly denied access either to any legal counsel or to a lawyer of their choice, despite legislation providing for the right to legal representation.

Trials before special courts, such as the Special Court for the Clergy, continued to fall far short of international standards. Torture and ill treatment continued to be reported; methods used reportedly included beatings with hands, feet, and sticks; flogging with whips; sleep deprivation, at times combined with being forced to stand for long periods; exposure to loud noises; lack of food; and threats to relatives.

The death penalty continued to be widely used, often imposed for vaguely worded offenses—including political offenses and those relating to freedom of belief—frequently after unfair trials. Scores of executions, including a number carried out in public, were reported.

The UN Commission on Human Rights Special Representative for Human Rights in Iran continues to be denied access to the country.

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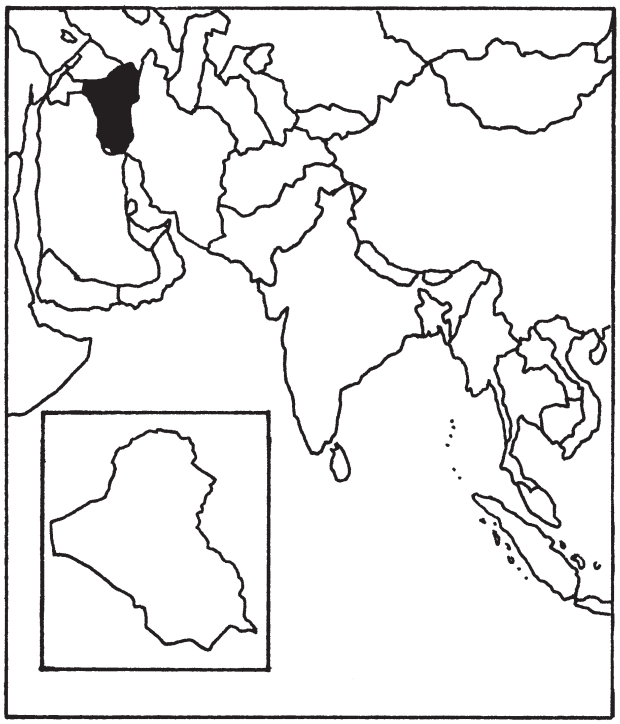
Iraq



Iraq is a country in the Middle East, bounded on the north by Turkey, on the east by Iran, on the southeast by the Persian Gulf and Kuwait, and on the south by Saudi Arabia. Baghdad is the capital city. Iraq has a population of approximately 22 million. Ethnic and linguistic groups include Arabs (about 75 percent), Kurds (about 20 percent), Turkomen, Assyrians, Yazidis, and Armenians (about 5 percent). The majority of the population is Muslim (Shi'a 65 percent; Sunni 32 percent), while the remainder is Christian or belongs to other religious denominations.

BACKGROUND

A former British protectorate, Iraq achieved independence in 1932 and joined the United Nations in 1945. In 1958, Iraq became a republic and, with the overthrow of the monarchy, it ended its pro-Western alignment. The history that followed was filled by a succession of military coups and the rise to power of Saddam Hussein in 1979. Since then, Saddam Hussein and his extended family have been ruling through a repressive one-party apparatus, the Arab Ba'th Socialist Party, and the Revolutionary Command Council, which exercise all executive and legislative power. In practice, Hussein rules as dictator of Iraq.

In 1980, a war between Iraq and Iran broke out following a dispute over the control of a waterway. A cease-fire was agreed to in 1988. In 1990, Iraq invaded Kuwait, but a Western coalition, led by the United States, fought the Gulf War ("Operation Desert Storm") and forced Iraq to withdraw from Kuwait. To force Iraq's disarmament, the United Nations (UN) imposed a trade ban. During this conflict, Iraq used chemical weapons against Kurdish rebels seeking greater autonomy in the north, while an uprising of Shi'a Arabs in the south was also brutally suppressed (Hussein and his most loyal followers are Sunni Muslims).

The Gulf War allies imposed "no-fly zones" (areas where no Iraqi planes were allowed to fly) over the northern and southern sections of Iraq to protect the Kurds in the north, and Shi'a marsh dwellers in the south. However, the government militias continue to launch ground attacks in those regions and commit serious human rights abuses against civilians. Iraq's non-cooperation with UN Security Council resolution obligations, specifically its refusal to

Kurdish refugees from the Gulf War, victims of Iraqi attacks, April 1991.

allow inspections of its weapons stockpiles, continues to be a major problem.

In the areas under Kurdish control, fighting continues between Turkish government forces and members of the Kurdish opposition Kurdistan Workers' Party (PKK). Human rights abuses have been reported.

Iraq's highly centralized economy has always been dominated by the oil sector; however, in the 1980s, Iraq suffered economic losses due to the massive expenditures caused by the conflict with Iran and war damage to its oil export facilities. In addition, subsequent economic embargoes and the military action by the international coalition following the seizure of Kuwait further reduced Iraq's economic activities. What resources are available are currently allocated to support the regime and its large military and internal security forces. As a result, it is the Iraqi people who suffer the worst consequences of Saddam Hussein's military ambitions.

Since 1996, the UN has been implementing an "oil-for-food" program, which allows the export of oil and the import of food, medicine, and other humanitarian goods for civilian needs. However, the government has been interfering with the provision of humanitarian assistance by the international community, siphoning off much of the aid for the benefit of the army and the ruling elite.

HUMAN RIGHTS

Iraq's human rights record continues to be extremely poor. Citizens do not have the right to change their government. In 1995, Saddam Hussein won a referendum on his

presidency with 99.96 percent of the vote. However, the referendum included neither secret ballots nor opposing candidates, and was conducted in a climate of intimidation and fear of reprisal. Many people were arrested. International observers alleged the election results to be a sham.

Only members of the Arab Ba'th Socialist Party have full political rights, and opposition political organizations or parties are considered illegal, and therefore are suppressed. The security forces are tools for repression and are closely attached to Hussein, the Ba'th Party, and the Interior Ministry.

The government is responsible for extrajudicial killings and mass executions. Most of these killings were committed without due process. In recent years, the government has increased the number of offenses that can be punishable by death, which include any act or expression of dissent, membership in certain political parties, and economic crimes. It is estimated that more than 2,500 to 3,000 summary executions have been carried out since 1997. There are reports that political detainees with sentences of fifteen to twenty years were killed en masse.

The UN can provide documentation of 16,000 persons who have disappeared in the course of the 1980–1988 Iran-Iraq war, as a result of the 1990–1991 Gulf War, after individual arrests, and during ethnic conflicts. However, other human rights organizations estimate the number to be much higher. In addition, human rights groups allege that the government continues to hold thousands of Iraqis in detention without allowing them to communicate with anyone outside prison. Arbitrary arrests and detention are common and are directed against persons perceived as security threats or because of personal or family association with opponents of the government. The authorities routinely hold innocent people responsible for crimes committed by family members or close associates.

According to international human rights organizations, several foreigners have been arbitrarily arrested in the past and continue to be detained. No official estimates exist with regard to political prisoners; however, the number is believed to be in the tens of thousands.

Prison conditions are life threatening. There are reports of prisoners who have died because of the harsh conditions and mistreatment inflicted by security guards. Overcrowding is a serious problem. It is believed that summary executions are carried out for the purpose of emptying overcrowded prisons. The government does not allow visits of prisons by human rights monitors.

The security services make use of torture, psychological intimidation, prolonged interrogations, and other cruel treatment of detainees under custody. Torture techniques include branding, electric shocks, mutilations, burning with hot irons, rape, breaking limbs, deprivation of food or water, and other inhumane treatments. Detainees are also subject to threats that their family members will be raped or harmed.

The judiciary is dependent on the president's decisions. The legal system is based on Islamic law judged in special religious courts, and on a civil law system everywhere else.

The nature of the political and legal systems precludes any possibility of due process and rule of law. Defendants are often denied contact with lawyers. The courts permit confessions extracted by torture as the basis for a defendant's conviction.

The government infringes on the citizens' right to privacy by ignoring constitutional provisions regarding the safeguarding of mail, telephone conversations, and telegraphic correspondence. The authorities routinely conduct searches without warrants.

Freedoms of speech and the press are suppressed. The government has the monopoly on all print and broadcast media, and opposing views are not reported. Journalists must adhere to the recommendations of the Iraqi Union of Journalists, which is controlled by the government. Foreign journalists or reporters must be escorted everywhere by officers of the Ministry of Culture and Information. Foreign news broadcasts are regularly jammed. The government has banned satellite dishes. Academic freedom is also restricted, and academic publications are strictly under governmental control.

The government restricts freedom of assembly and associations. Citizens may assemble only to express support of the regime. Political parties other than the Ba'th Party are banned. Trade unions can function only under governmental control. Workers' rights are not protected.

Although the constitution provides for freedom of religion, the government limits this right in practice. Traditionally, Sunni Arabs, who represent a minority of the population, have dominated the political and economic life of the country, despite the fact that the majority of the population are Shi'a Arabs. Since the aftermath of the 1991 civil uprisings, the government has repressed the Shi'a proponents and imposed restrictions on their activities, including desecrating their mosques and holy sites, because of their opposition to the government. In addition, the government is responsible for harassment, persecutions, and killings of Shi'a people in the south.

Ethnic discrimination also has historical roots, and the government has long engaged in discriminatory resettlement policies directed against ethnic Kurds, Turkomen, Assyrians, Shi'a inhabitants, and other minorities, in an attempt to "Arabize" the country. It is estimated that since 1991, more than 90,000 Kurds have been displaced. Many Kurdish families still live in tent camps. Children and elderly people have died because of harsh conditions. Kurds remain particularly subject to harassment and discrimination in employment and education. Shi'a inhabitants of the southern marshes have been relocated to major southern cities. However, there are reports that many of them have been transferred to detention centers. Citizens of Iranian origin are also targeted by discriminatory policies.

Women continue to face discrimination in employment, education, government, and politics. Women cannot travel outside the country alone. Violence against women, particularly spousal abuse, is known to occur, but there are no official estimates regarding its extent.

The government neglects children's rights and welfare. It is believed that children are most affected by the economic sanctions and by the government's mismanagement of the "oil-for-food" program. Poor distribution of medicine and food has resulted in many deaths of children. Child labor is widespread. In addition, each year the government enrolls children between ten to fifteen years of age in a paramilitary training program.

Movement of citizens and foreigners within the country is highly controlled and restricted by the authorities. The government does not respect the rights of refugees and

does not provide first asylum. Hundreds of thousands of Iraqi refugees remain abroad.

The government prohibits the establishment of independent human rights organizations. A few human rights groups are active in the northern areas that are not under government control. International human rights monitors, including the United Nations Special Rapporteur, are not allowed to visit Iraq. The government is also responsible for the harassment and intimidation of UN personnel and relief workers.

Barbara and Michela Zonta

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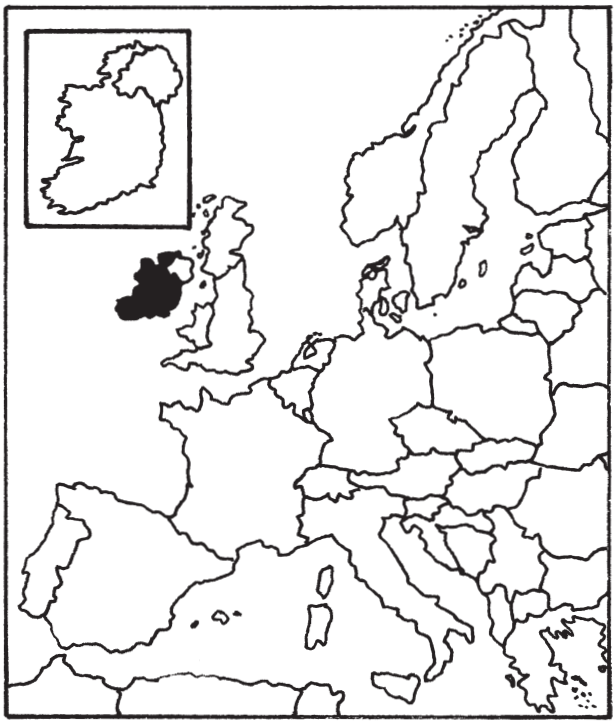
Ireland



Ireland is an island nation located just to the west of the United Kingdom. Its capital is Dublin. Ireland has a population of approximately 3.7 million, 98 percent of whom are Irish. More than 90 percent of the population is Catholic. Almost all Irish people speak English; a small minority also speak Gaelic. The Irish government is a parliamentary democracy.

Ireland was conquered by the English in the sixteenth century and remained under English control until the twentieth century. A bloody war led the United Kingdom to agree to the granting of Irish independence in 1921. The six northern counties of Ireland had a majority population that wished to remain part of England and so were not included in the new Irish state. These six counties, called Northern Irleand, were allowed self-rule under the supervision of the United Kingdom's government. Until recently, independent Ireland has had nothing to do with the governance of Northern Ireland.

Ireland is a prosperous country that has become an increasingly important part of the world's information industries. A number of high-tech companies have factories and offices in Ireland.

HUMAN RIGHTS

Human rights are generally well protected in Ireland. Since independence, Irish democracy has functioned well. Citizens have complete control over their government. Elections are free and open. The government is run by a prime minister who is chosen by Parliament. There is also a directly elected president who serves a largely symbolic role as head of state.

The courts in Ireland function effectively, and most of those accused of crimes are given fair trials. Poor defendants are provided with defense attorneys free of charge.

The law forbids torture or abusive treatment of those in police custody. Generally the police obey these laws. There have been some reported cases of police abuse in Ireland, but they are not widespread and are not a sign of a significant human rights problem.

Ireland has a relatively small prison population and prison conditions are generally good. Some prisoners suffer because of the deteriorating conditions in some of Ireland's

older prisons. A shortage of prisons has led to overcrowding. Some cells do not have running water. New prisons are being built, but many prisoners remain in the older, less well-equipped prisons. International observers are allowed to visit Irish prisons.

The government protects the freedom of the press, free speech, and free assembly. There are some restrictions on the publication of material considered morally repugnant—in practice, some forms of pornography are restricted. Some pornographic videos are banned by the government every year. Some magazines and newspapers have been temporarily banned for printing advertisements for massage parlors.

The government protects freedom of religion. There are no religious restrictions in Ireland.

Workers also have the right to form unions and strike.

Mistreatment of women is probably Ireland's most serious human rights problem. While women are generally treated well, there remain problems. Spousal abuse remains common, supported by a tradition which allows men to control their wives with violence. Women's groups complain that the government has not done enough to educate men and women about the importance of preventing violence against women. Discrimination against women in employment is illegal but still occurs. Women are also not well represented in politics. Only a few women serve in Parliament, although women do serve as president.

Children are well protected by Irish law and government departments. Child abuse is harshly punished, and police have the right to remove children from homes that are considered unsafe.

Disabled people are also protected under the law and have access to most public buildings, particularly those built after 1992.

There is some ethnic discrimination, particularly against the Irish Travellers, a small nomdic ethnic minority (numbering perhaps 25,000) who slightly resemble Europe's Roma. Irish Travellers often face discrimination in employment and education. Some restaurants and bars resist serving Irish Travellers. The government has passed laws making discrimination against the Travellers illegal, but it still continues to occur.

Local and international human rights groups operate without government interference.

Carl Skutsch

See also United Kingdom.

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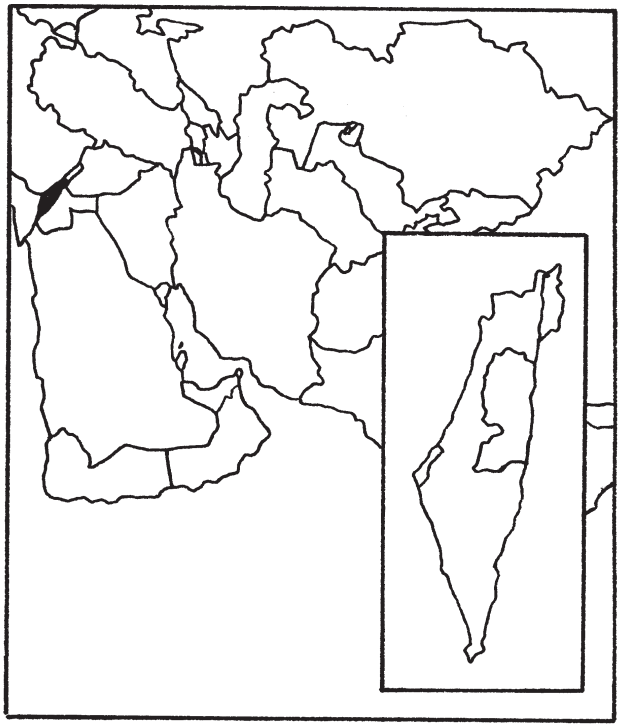
Israel



Israel is a country in the Middle East, bounded on the north by Lebanon, on the east by Syria and Jordan, on the south by the Gulf of Aqaba, and on the west by Egypt and the Mediterranean Sea.

Jerusalem is the capital city. The population of approximately 6 million includes Israeli settlers in the West Bank, in the Israeli-occupied Golan Heights, in the Gaza Strip, and in East Jerusalem. About 80 percent of the population is Jewish; the remainder is mostly Arab. The three broad Jewish groupings are the Ashkenazim, or Jews who came to Israel mainly from Europe, North and South America, South Africa, and Australia; the Sephardim, who trace their origin to Spain, Portugal, and North Africa; and Eastern or Oriental Jews, who descend from ancient communities in Islamic lands. The major religious denominations are Judaism, Islam, Christianity, and Druze. Hebrew, Arabic, Russian, and English are widely spoken.

BACKGROUND

Israel has a technologically advanced market economy, with substantial government participation. Its natural resources are limited. However, Israel has intensively developed its agricultural and industrial sectors over the last decades. It is largely self-sufficient in terms of food, except for grains. Leading exports include diamonds, high-technology equipment, and agricultural products. Israel's account deficits are usually covered by large transfer payments from abroad and by foreign loans, especially from the United States. Israel's economy grew rapidly in the early 1990s, due to the influx of Jewish immigrants from the former Soviet Union and the opening of new markets at the end of the cold war. The economic growth, however, began slowing in 1996, when the government imposed tighter fiscal and monetary policies.

In 1948, after fifty years of efforts by the Zionist movement (founded at the end of the nineteenth century by Theodore Herzl) to establish a sovereign nation as a homeland for Jews, Jewish settlers in the territory formerly called Palestine were able to declare the independence of the state of Israel. Fighting immediately ensued between the Jews and the Palestinian Arabs, who were helped by neighboring Arab states. With the Israelis victorious, many of the Arabs who lived in Palestine were forced to

flee. They became refugees, living in the West Bank, the Gaza Strip, Lebanon, and elsewhere. Those Arabs who remained behind became a minority within the now predominantly Jewish state of Israel.

Since its independence, Israel has been in an intermittent state of war with neighboring Arab countries over territories such as the Sinai Peninsula, the Gaza Strip, the Golan Heights, and the formerly Jordanian-controlled West Bank of the Jordan River, including East Jerusalem.

In 1979, Egyptian President Anwar Sadat and Israeli Prime Minister Menachem Begin signed a treaty under which Israel was to return the Sinai to Egypt. This led to a permanent peace with Egypt. Despite Iraqi missile attacks against Israel, Israel refrained from entering the Gulf War in 1990–1991. In 1994, Israel signed a nonbelligerency agreement with Jordan, and in 1995, Prime Minister Yitzhak Rabin and Palestine Liberation Organization (PLO) Chairman Yasser Arafat signed the historic Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, broadening Palestinian self-government. The assassination of Prime Minister Rabin by a right-wing Jewish radical in November 1995 climaxed the bitter national debate over where the peace process was leading, and led to further peace negotiations sponsored by the United States. Currently the PLO and Israel share control of the West Bank and the Gaza Strip, and negotiations continue on the subject of a permanent peace settlement and sovereignty over these areas.

Israel is a parliamentary democracy. The unicameral Parliament—the Knesset—enacts laws and elects the president every five years. The prime minister exercises executive power. The independent judicial system includes both secular and religious courts.

HUMAN RIGHTS

Citizens generally enjoy a variety of human rights and liberties. However, problems continue in the occupied territories, especially in the West Bank and Gaza, and also as a result of Israel's fight against Arab terrorism. In northern Israel and in southern Lebanon, violent attacks conducted either by Palestinian guerrillas or Israeli troops have resulted in numerous deaths, including those of civilians.

A key problem connected with human rights in Israel is the dual nature of Israeli society. In theory, Israel is a parliamentary democracy that grants political and human rights to all citizens. However, Israel was founded for the purpose of giving Jews a state of their own. For this reason, its laws and practices have tended to favor the Jewish majority over the Arab minority. Although Arab citizens are supposed to have the same rights as Jewish citizens, human rights advocates have claimed that Arabs are often treated as second-class citizens.

Even more problematic is the issue of non-citizen Arabs living in the West Bank and the Gaza Strip. These two territories were conquered by Israel during earlier wars with Arab states, but they are not legally considered a part of Israel. The result is that while Israeli troops and police control these territories, the people living in them—the vast majority of whom are Palestinian Arabs—have few rights under Israeli law. Most importantly, perhaps, they cannot vote, and hence have no access to the human right of democratically choosing their leaders. This situation has led to resentment and violence by Palestinian Arabs, and to repressive tactics by Israeli security forces.

In essence, Israel is a liberal democracy in its own territory, but behaves more re-

A soldier spraying mace at West Bank Palestinian women during the Intifada uprising, March 1988.

pressively in the occupied territories of the West Bank and the Gaza Strip. This situation may be resolved if Palestinian Arabs are eventually given political control over these territories through peace negotiations. As of late 2000, the Palestinians have not been given an independent state. In the meantime, Israeli human rights abuses continue.

Israeli security forces commit human rights violations against Palestinians suspected of security offenses. Torture, physical and psychological abuses, and other forms of coercion have been used during interrogation. Prison conditions for Israeli citizens convicted of common crimes meet minimum international standards. Security detainees, however, who are mostly Palestinians, are held in detention camps or other police detention facilities that fall below minimum international standards. Some Palestinian detainees have died in government custody. In addition, human rights monitors have expressed great concern over the detention of Arab minors with adult inmates.

Although the law prohibits arbitrary arrest or detention, the government permits detention without charge or trial in security cases. The targets for these detentions are almost always Palestinian Arabs. The judiciary is subject to the government's influence over security cases. According to the Israeli High Court of Justice, security needs take precedence over an individual's rights.

Palestinian detainees do not benefit from the protection of civil law and fall under the

jurisdiction of military courts. The government continues to detain Palestinian Arabs without charge or trial. Human rights advocates claim that the Israeli legal system imposes harsher punishments on Palestinians than on Jewish Israelis for the same crimes.

The Israeli authorities occasionally infringe on citizens' right to privacy in cases involving criminal or security charges.

The government respects freedom of speech and the press. However, the law authorizes the government to apply censorship to any material that can undermine national security. In addition, emergency regulations prohibit the expression of support for illegal organizations.

Freedoms of assembly and association for Israeli citizens are generally respected. Workers can form unions and have the right to strike. However, Palestinians from the West Bank and Gaza Strip cannot join Israeli trade unions or organize their own unions in Israel. They cannot freely demonstrate.

Local human rights groups lament that the government does not effectively enforce laws against discrimination based on sex, race, religion, disability, language, or social status. In particular, women continue to receive lower wages for equal work, and have fewer promotions and career opportunities than do men. They also remain underrepresented in government. Religious laws also restrict women's rights in family and divorce matters.

Violence against women, including domestic violence, is a problem in both the Jewish and Arab communities. Funds have been allocated by the government to fight such violence. In addition, women's groups and human rights advocates are trying to raise public awareness about this issue and establish a greater number of women's shelters.

Trafficking in women and girls for prostitution and illegal work, particularly with women from the former Soviet Union, has increased significantly in recent years.

The government is committed to children's welfare; however, children of foreign workers residing illegally in the country do not have access to education or health services. Although prohibited by law, child labor is concentrated among Israel's Arab population and Jewish immigrants from outside Israel.

There is no law mandating access to public buildings for people with disabilities.

The government continues to permit discrimination against non-Jewish communities. The latter receive less governmental financial support than do Jewish communities. Israeli Arabs do not receive equal quality education, housing, employment, and social services, and remain underrepresented in higher-level professional and academic ranks. In addition, Israeli Arabs are not allowed to work in security-related fields. Arab groups also complain that land expropriation for public use has affected the Arab community over the years.

The government respects freedom of religion and each religious community has legal authority over its members in matters of marriage and divorce. However, the non-Orthodox Jewish community has complained of discrimination and intolerance by Orthodox Jews.

The establishment of military or security zones limits citizens' right to free movement within the country. Citizens can travel abroad and return, provided that they do not have military obligations. However, the government restricts travel to some Arab states, including Syria and Saudi Arabia.

The government cooperates with the United Nations High Commissioner for Refugees in assisting refugee or asylum

seekers. It also welcomes Jewish immigrants and their families, who can receive citizenship and residence rights under the Law of Return. The same rights do not apply to persons of non-Jewish descent or who have converted to another faith.

Several domestic and international human rights groups operate in the country without governmental restrictions, investigating and publishing their findings on human rights issues. However, the government continues to deny access to a few security detainees by the International Committee of the Red Cross. In addition, the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported that the government is not cooperating with its operations.

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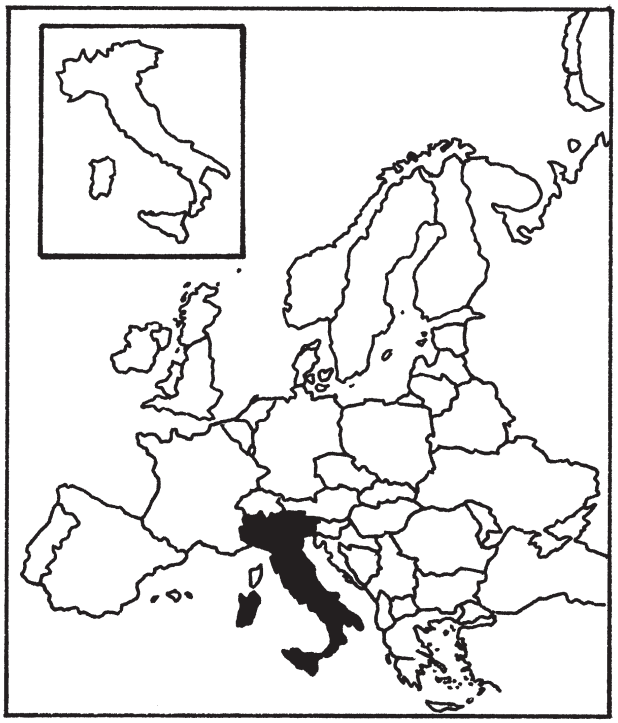
Italy



The Italian Republic is a peninsula located in southern Europe that extends into the central Mediterranean Sea, northeast of Tunisia. Italy also occupies a number of islands, including Sicily, Sardinia, Elba, Lampedusa, and Pantelleria. It has borders with France, Switzerland, Austria, and Slovenia. Rome is the capital city. Its population of 56.7 million consists primarily of Italians, as well as minority populations of Germans, French, Slovenes, and Albanians. Roman Catholicism is the majority religion, although the constitution grants equal freedom to all religious denominations. Italian is the official language, and several dialects are spoken throughout the country. Two regions are bilingual. In addition to Italian, French is spoken in Valle d'Aosta and German is spoken in Trentino-Alto Adige.

BACKGROUND

Since the end of World War II the Italian economy has undergone profound changes. From an agriculturally based economy, it has developed into an advanced industrialized market economy. Small and medium-sized companies—most of which are family-owned firms—employ from 70 to 80 percent of the workforce, and major products include machinery, textiles, apparel, transportation equipment, and food and agricultural products. Nearly all sectors are privatized, although the government still owns a substantial number of enterprises in finance, communications, industry, transportation, and services. Italy has slowly recovered from the economic crisis of the early 1990s. Historically an inflation-prone country, Italy is now firmly within norms specified for the European and Monetary Union (EMU). Imbalances in public finances, however, still represent a major problem, and since 1992, economic policy in Italy has focused primarily on reducing government budget deficits. Moreover, unemployment is very high, especially in the south.

After the collapse of the Roman Empire in the fifth century A.D., the Italian peninsula experienced a series of invasions and lost its political unity. A succession of small states, principalities, and kingdoms characterized Italian history until unification in

the 1860s. From 1870 to 1922, Italy was a constitutional monarchy. In 1922, Benito Mussolini came to power and installed a fascist dictatorship. Mussolini allied with Adolf Hitler—the leader of Nazi Germany—and declared war on the United Kingdom and France in 1940, and on the United States and the Soviet Union in 1941. After the Allied invasion, an antifascist popular resistance movement, which grew during the last two years of the war, helped the Allies drive the German forces out of the country in April 1945.

A 1946 plebiscite ended the monarchy and elected a constituent assembly in charge of forming a new republic. The constitution went into effect on January 1, 1948.

The 1994 national elections marked the emergence of new political forces and new alignments, which replaced some of the major political parties that were beset by scandal and loss of voter confidence.

Italy is a founding member of the European Community—now the European Union—as well as a member and strong supporter of the United Nations, the North Atlantic Treaty Organization, the Organization for Economic Cooperation and Development, the General Agreement on Tariffs and Trade/World Trade Organization, the Organization for Security and Cooperation in Europe, the Western European Union, and the Council of Europe.

Italy is a multiparty parliamentary democracy. The president of the Republic nominates the prime minister after consulting with leaders of all political groups in Parliament. The judicial system is based on Roman law modified by the Napoleonic code and subsequent statutes. The government and parliament control the armed forces, which include four separate police forces, each reporting to different or local authorities. In exceptional circumstances, the army can be called on to provide internal security.

HUMAN RIGHTS

The Italian government generally respects the human rights of its citizens, but problems still exist in some areas. The law prohibits torture and cruel or degrading punishment. However, the police often commit abuses against detainees. Such abuses normally occur at the time of arrest or during the first twenty-four hours in custody, before detainees see an attorney or a judicial authority. Examples of abuse include kicking, punching, beatings with batons, or deprivation of food. A substantial proportion of abuses involve non-European Union immigrants—mostly from Africa—Roma, and persons held in connection with drug-related offenses.

Prisons are generally overcrowded, despite the construction of new facilities and the Parliament's approval of a law allowing persons sentenced to less than three years' imprisonment to apply for an alternative penalty within a period of thirty days after final sentencing. Because of overcrowding, prison conditions are poor in terms of sanitation and medical services, and barely meet minimum international standards. AIDS represents a major problem. As of 1998, more than 29 percent of the prison population was addicted to illegal drugs. Of those, 13.6 percent were HIV-positive, and 5.8 percent of those who were HIV-positive had AIDS.

Lengthy pretrial detention represents a major problem, despite the reform of judicial procedures intended to speed up trials. The average wait for lower-court trials is three years and four months. As of 1999, 44 percent of inmates were awaiting trial

A woman begging on the street in Venice.

or the outcome of appeals, rather than serving final sentences. There are no provisions for bail, although judges may grant provisional liberty to suspects awaiting trial.

According to some critics, some magistrates are highly politicized or influenced by other interests in choosing targets of inquiry, and often fail to show adequate respect for the rights of suspects. Many abuse their authority by making excessive use of preventive detention.

The constitution prohibits discrimination on the basis of race, sex, religion, ethnic background, or political opinion. However, societal discrimination against women, immigrants, and other foreigners is routinely practiced. Violence against women, including spousal rape, is very common. Victims often do not press charges because of fear, shame, or ignorance of the law. Legislation to protect women from violence was updated in 1996, making easier the prosecution of perpetrators of violence against women and shielding women from publicity who have been objects of attack. There are numerous cases of trafficking in foreign women—usually illegal immigrants—for the purpose of prostitution. Women's salaries are 20 percent lower than men's for comparable work. Women are underrepresented in management positions and the professions, and generally experience higher unemployment rates compared to men.

Child abuse also represents a serious problem. Many minors are involved in cases of violence every year, and an estimated 90 percent of violence against minors is committed within their own families. There are

also many minor-age prostitutes, the majority of whom are illegal immigrants, mostly from Albania and Nigeria. Other areas of child abuse include child pornography and the trafficking of minors. In August 1998, the Parliament passed a law to combat such abuses.

Substantial discrimination is practiced against immigrants and other foreigners, who are often subject to physical attack. Among these are the Roma, predominantly from the former Yugoslavia, who usually encounter difficulties in finding places to reside. These nomadic Roma normally live in tents. They have difficulty obtaining work permits because they do not possess valid identity documents, and often turn to begging or petty crime. Racial discrimination and violence against illegal immigrants from African countries have increased in recent years.

A host of human rights groups are active without government restriction, and government officials are generally responsive to their views.

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Jamaica

Jamaica is an island of the West Indies, located in the Caribbean Sea. Kingston is the capital city. Its population of 2.6 million consists of people of African (90.9 percent), East Indian (1.3 percent), Chinese (0.2 percent), European (0.2 percent), and mixed descent. Protestant, Roman Catholics, and Rastafarians are the main religious groups on the island. English is the official language.

Jamaica is a constitutional parliamentary democracy based on the United Kingdom model. The governor general—who is appointed by Queen Elizabeth II, the prime minister, and the cabinet represent the executive branch of the government, while the legislative branch consists of the bicameral Parliament. The judiciary is formed by the Supreme Court.

Rich in natural resources—primarily bauxite—Jamaica has an economy based on agricultural products as well as on light manufacturing and services. Tourism is favored by the island's ideal climate. There is a large gap between the wealthy and the extremely poor. The country has been facing serious economic problems—high unemployment, inflation, high interest rates, and labor unrest—that have worsened its social problems. Violent crime has also stemmed from an increase in the use and trafficking of narcotics. Jamaica is a major producer of marijuana and is an increasingly significant cocaine-trafficking country.

Prior to Spanish occupation (1510), Jamaica was inhabited by the Arawaks, who had migrated from South America. The Arawaks were eventually exterminated by disease, slavery, and war during the Spanish rule. In 1517, the first African slaves were brought to the island. In 1670, Great Britain gained formal possession of the territory, and the British Parliament abolished slavery in 1834. Jamaica achieved independence in 1962, and has remained a member of the British Commonwealth. Traditionally, Jamaica has experienced heavy emigration of its citizens to the United Kingdom, the United States, and Canada.

Jamaica has diplomatic relations with most nations and is a member of the United Nations and the Organization of American States.

Human rights are generally respected in Jamaica, although some problems continue to exist in some areas. Members of the security forces sometimes commit extrajudicial killings and beatings and regularly

carry out arbitrary arrests and detentions. The police frequently use excessive violence against those suspected of breaking the law. Vigilantism, involving spontaneous mob executions in response to crime, continues to be a problem.

Prison conditions are very poor. Prisons are usually overcrowded, and sanitary conditions as well as food are generally inadequate. Insufficient medical care is typical. Guards are often responsible for acts of brutality against detainees. The judicial system is overburdened and operates with inadequate resources. Therefore, delays in trials are very common. In some instances, cases are dismissed because files cannot be located.

Women suffer from economic discrimination, sexual harassment in the workplace, and domestic violence. Spousal abuse is widespread, a result of social and cultural traditions that perpetuate violence against women.

No laws require that the disabled have access to public buildings.

A number of human rights groups operate without government restriction. They investigate and publish their findings on human rights cases. The Independent Jamaica Council for Human Rights is the country's only formal organization concerned with all aspects of human rights, although the Jamaican Bar Association has lodged protests against certain police actions as well.

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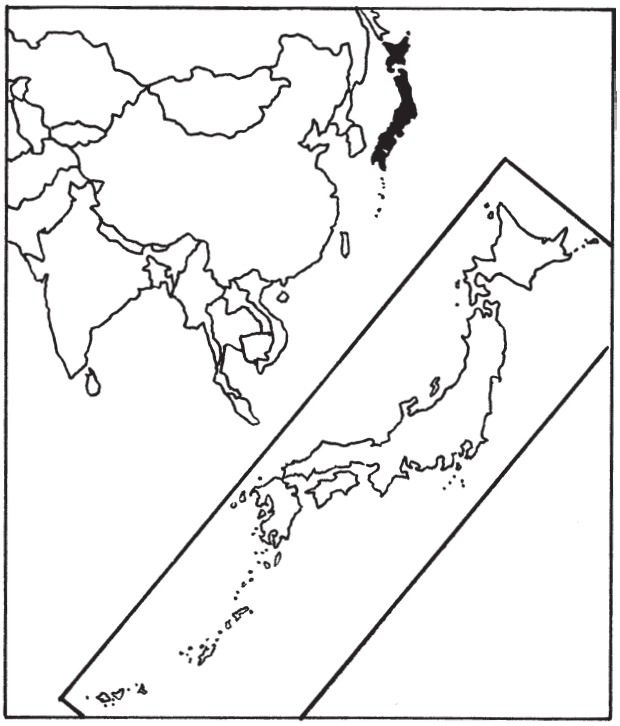
Japan



Japan is a group of islands located to the east of China on the edge of the Pacific Ocean. The capital is Tokyo. Japan's population is approximately 126 million, of whom more than 99 percent are ethnic Japanese. Japan's four main islands have a combined land area of 145,882 square miles—making it about the size of Montana. This relatively small land area, combined with Japan's large population, gives the country one of the highest population densities in the world. Japan's 865 people per square mile is more than ten times the United States' density of 73 people per square mile. Japan has a thriving democratic system of government. The leader of Japan's government is the prime minister, who is chosen by the leading parties in Japan's Diet (or Parliament). Acting as symbolic head of state is Japan's Emperor Akihito, who has been on the throne since 1989.

BACKGROUND

For many centuries, Japan was dominated by a military dictatorship called the shogunate. The shoguns, acting as generals in chief, ruled in the name of the Japanese emperors, who served in only a symbolic role. Starting in the seventeenth century, the shoguns, suspicious of European traders and missionaries, closed Japan off from almost all contact with the outside world.

Japan's isolation ended with the 1854 arrival of an American fleet in Japanese waters. The modern American gunboats forced the Japanese government to open its borders to trade and thereby inaugurated a period of rapid change in Japanese society. Japan modernized its industry, army, and navy and quickly became a strong regional power. Led by increasingly aggressive military men, Japan embarked on a series of conquests—Taiwan, Korea, northern China—that aroused international hostility and led to its involvement in World War II. In 1945, Japan lost World War II and was left devastated (to end the war, the United States dropped two atomic bombs on Japan).

With the forceful guidance of American occupation troops, Japan's government was transformed into a functioning democracy. Under the 1947 constitution, the emperor was allowed to keep his symbolic role, but

all political power was put in the hands of the Diet. Japan constitutionally renounced war as an instrument of policy.

Since 1947, Japan has been an economic and democratic success story. Rapid growth and industrial innovation have made Japan the second richest country in the world, after the United States. Japanese corporations make cars, televisions, and electronic devices that are used around the world. As a result of their successful and mostly booming economy, the Japanese enjoy one of the world's highest standards of living.

HUMAN RIGHTS

Japan in general protects its citizens' human rights.

The Japanese people have the right and the ability to change their government. The Diet is chosen with universal suffrage, and elections are scheduled at frequent intervals. Some critics of Japanese politics have pointed out that the same political party—the Liberal Democratic Party—has ruled the country since 1947, suggesting that Japan's democracy is not as mature as it should be. These criticisms are valid, but they ignore the fact that the Liberal Democrats are divided into different wings and factions and that shifts in electoral results have altered the relative power of these factions and led to changes in the leaders of government. In recent years, other political parties have gained in strength, and the Liberal Democrats have been obliged to participate in coalition governments for the first time.

The Japanese judiciary is independent and largely free of corruption. Japanese trials are fair and open, and the military and police forces are firmly under civilian control.

Despite Japan's high human rights standards, there remain some problem areas.

The police have been guilty of occasional abuse against prisoners and detainees. Police sometimes use physical violence or intimidation to obtain confessions from prisoners. Approximately 90 percent of all criminal cases include a confession on the part of the accused. There remains a strong suspicion that some of these confessions are coerced. There have also been some reports of police harassment of foreign immigrants and residents.

Japan's prisons meet international standards but can be very rough. Insufficient heating in some prisons has led to cases of frostbite among prisoners. Some inmates complain that not enough food is provided. Japan's prisons are run according to a very rigid set of rules and regulations, which some human rights observers believe contribute to the degradation of prisoners. Prison wardens use solitary confinement liberally, and some inmates have been kept in solitary confinement for many years.

Japan allows its citizens freedom of speech, freedom of the press, and the right to assemble. Japanese workers have the right to form unions. Japanese have the right to move freely about, both inside and outside the country. Academic freedom is also protected. Some academics complain that although they are allowed to speak freely, a national reluctance to acknowledge past human rights failures has led to a kind of self-censorship in Japanese textbook publishing. Japanese history textbooks usually touch only lightly on the crimes committed by Japanese soldiers during World War II.

Partly because of this self-censorship in Japanese publishing, some critics believe that Japan has not sufficiently acknowl-

edged the human rights abuses committed by its armed forces during World War II. Japanese troops behaved with great brutality toward Koreans, Chinese, and Filipinos, among others. China and South Korea, in particular, have asked the Japanese government to apologize for Japan's wartime atrocities. While Japanese leaders have made some statements that admit to wrongdoing, their words of apology have been muted and have not satisfied those who suffered under Japanese rule. Japan's reluctance to apologize stems partly from internal political considerations. A significant part of the Japanese population feels that it would be dishonorable to apologize for Japan's actions; these people also tend to downplay the severity of Japan's wartime criminality, and most Japanese students grow up very ignorant of these parts of their country's past.

Theoretically, Japan protects the right to worship freely. While in general this right is protected in practice, there have been some exceptions. The Japanese cult known as Aum Shinrikyo, some of whose members were responsible for a series of poison gas attacks in Japanese subways, has suffered from government surveillance and restriction. Members of the Unification Church and Jehovah's Witnesses have also complained of government harassment and intolerance.

Women suffer some limits on their human rights. Domestic abuse is suspected to be widespread, but social pressure prevents many women from reporting instances of abuse. Sexual harassment remains a common problem in the Japanese business world. Compared to European or American corporations, Japanese women are more likely to suffer sexual harassment or demands for sexual favors by supervisors. Women are still not regarded as business equals and do not have the same opportunities to advance up the corporate ladder. An ongoing complaint by many women is that sexual groping or molestation occurs in Japan's crowded commuter trains.

Japan strongly protects the rights of children.

The disabled suffer some discrimination in Japanese society, but the government has been making efforts to reduce this problem.

Discrimination against minorities remains a human rights problem in Japan. The Ainu are descendents of Japan's first inhabitants, and are an ethnic minority, who live in northern Japan. They have long suffered from discrimination at the hands of the Japanese majority. The 1997 passage of The Law to Promote Ainu Culture eliminated the legal discrimination that had existed against the Ainu, but social discrimination remains a problem.

Also suffering from discrimination are the Burakumin, a caste of outcasts who traditionally performed "unclean" tasks in Japan's past. Although discrimination against Burakumin is not supported by law, long time prejudices by the population keep the Burakumin from enjoying full human rights in Japan. Many Burakumin hide their background in an attempt to avoid this discrimination.

Discrimination, legal and societal, against foreigners also continues. Culturally, with their homogenous society, some Japanese tend to be suspicious of foreigners. Foreign workers, the largest percentage of whom are ethnically Korean, face employment and societal discrimination. The government places difficult hurdles in the way of ethnic Koreans, even long time residents, who wish to become Japanese citizens.

Japan cooperates with international and local human rights organizations and is very open to accepting human rights observers. Japan is also very active in promoting human rights around the world, and often is one of the main financial backers of international human rights missions. (The United Nations' mission in Cambodia, for example, was supported, in part, by large Japanese contributions.)

Carl Skutsch

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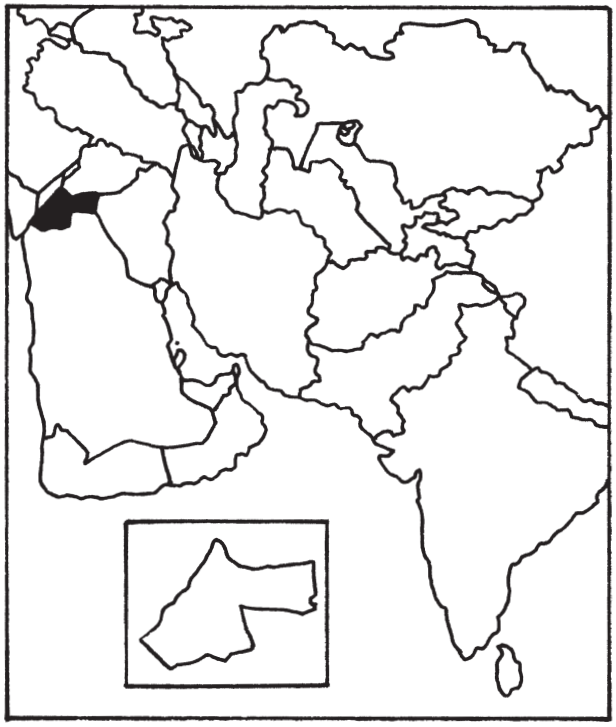
Jordan



The Hashemite Kingdom of Jordan is located in the Middle East, northwest of Saudi Arabia. It borders Iraq, Israel, Saudi Arabia, Syria, and the West Bank. Amman is the capital city. Jordan's population of approximately 4.5 million consists primarily of Arabs and a few small communities of Circassians, Armenians, and Kurds. More than half the Arab population are refugees from Palestine or their descendents. Arabic is the official language, although English is used widely in commerce and government. Sunni Islam represents the majority religion; only 4 percent of the population practices Christianity.

BACKGROUND

Jordan is a small country with inadequate natural resources and water supplies. Its economy has traditionally been based on phosphates and potash and their fertilizer derivatives, as well as on overseas remittances and foreign aid. For its energy needs, the country depends almost entirely on its oil-producing neighbors. Since 1987, Jordan has faced a substantial debt burden, low per capita income, and increasing unemployment rates. The Gulf War crisis of 1990–1991 further aggravated Jordan's economic problems.

The origins of Jordan date back to around 2000 B.C., when Semitic Amorites settled in the area called Canaan, by the Jordan River. In the course of its history, the territory has been invaded by a variety of peoples, including Hittites, Egyptians, Israelites, Assyrians, Babylonians, Persians, Greeks, Romans, Arab Muslims, Christian Crusaders, Mameluks, Ottoman Turks, and the British. Jordan was awarded to the United Kingdom by the League of Nations at the end of World War I and became the independent Hashemite Kingdom of Transjordan on May 25, 1946.

Jordan assisted Palestinians in their opposition to the establishment of the State of Israel. In 1967, it participated in the war between Israel and the Arab states of Syria, Egypt, and Iraq. This war led to a dramatic increase in the number of Palestinians living in Jordan and to an upsurge in the power of Palestinian guerrillas in Jordan. Open fighting between the Palestinian

Arabs and the government erupted in June 1970. After a year of heavy fighting, Jordanian forces won against the Palestinians and expelled many of them from the country. Jordan has been at peace with all its neighbors since 1980. Despite popular support for Iraq, Jordan did not participate in the Gulf War of 1990–1991.

Jordan is a member of the United Nations (UN) and several of its related agencies, including the Food and Agriculture Organization (FAO), the International Atomic Energy Agency (IAEA), and the World Health Organization (WHO). It is also a member of the World Bank, the International Monetary Fund (IMF), the Organization of the Islamic Conference (OIC), the Non-Aligned Movement, and the Arab League.

Jordan is a constitutional monarchy based on the constitution of 1952. A high degree of executive and legislative authority is vested in the king and his council of ministers, although the bicameral National Assembly also has legislative power.

HUMAN RIGHTS

The human rights record in Jordan continues to be poor in several areas. Citizens do not have the ability to change their government. The king has the power to appoint and dismiss the prime minister and the cabinet, to dissolve Parliament, and to establish public policy. High government posts are decided by the king and do not require legislative approval.

The distribution of parliamentary seats favors regions with populations known for their traditional pro-Hashemite views (those with majorities of non-Palestinian Arabs). Furthermore, the November 1997 parliamentary elections, despite a boycott by Islamist and other parties, were marred by irregularities and fraud on the part of pro-government candidates. During the electoral campaign, the press and other campaign materials were restricted. Centrist candidates representing major tribes dominate the Parliament. In fact, a new amendment in the electoral system limits the chances of many non-tribal candidates, including women, to be elected. In addition, the Palestinian community is not represented proportionately in the government.

The security forces are allegedly responsible for extrajudicial killings and numerous deaths of detainees while under custody. The authorities are reluctant to conduct investigations into those crimes. The police and security forces sometimes use physical and verbal abuse against prisoners during detention and interrogation. Governmental officials deny allegations of torture and abuse, but they are known to occur. However, these actions are difficult to verify because the security officers frequently deny detainees timely access to legal counsel.

Prisons and local police detention facilities do not meet minimum international standards; overcrowding and lack of personnel are the main problems. The security forces arbitrarily arrest and detain citizens. Lengthy pretrial detention is a problem, especially in state security cases. In addition, defendants are not allowed to meet their lawyers until shortly before trial.

The government also detains persons, including journalists, for political reasons. The constitution provides for the arrest, trial, and punishment in cases of persons involved the defamation of heads of state or public officials, in attacks on state dignity, and in disseminating false or exaggerated information outside the country.

The judiciary is subject to pressure from the executive branch. Islamic, or shari'a, courts, have jurisdiction over marriage and divorce among Muslims and over inheri-

tance cases involving both Muslims and non-Muslims. Military courts conduct trials in state security cases, and they are closed to the public.

The government infringes on the citizens' right to privacy; the authorities monitor telephone conversations, read private correspondence, and engage in surveillance of persons who are believed to pose a threat to the national security. In addition, security officers often conduct searches without warrants.

The government restricts freedom of speech and the press. Journalists practice self-censorship. Private citizens may be prosecuted for slandering the royal family, the government, or foreign leaders. The law limits the practice of journalism to Jordan Press Association (JPA) members, excluding many writers from the profession, and forbids publishers from hiring non-journalists. The government can issue fines, withdraw licenses, and order shutdowns to control the newspapers. Foreign publications are available, although occasionally distribution is blocked.

The government has a monopoly on the country's broadcast media. Radio and television news broadcasts are more restricted than the print media, and they report only governmental views. However, international satellite and Israeli and Syrian television broadcasts are available.

The government restricts freedom of assembly and association. Public gatherings need to be authorized. The authorities often deny permits for peaceful demonstration, public protests, and rallies that pose a threat to national security.

Membership in an unlicensed political party is illegal. Workers' unions must be registered to be considered legal.

Women face societal discrimination, resulting from traditional values and practices, in employment, social security benefits, inheritance, divorce, value of court testimony, and other areas. Women may not petition for citizenship for their children or for non-Jordanian husbands. Some women's groups claim that the problem of discrimination is not really one of law but rather because of women's lack of awareness of their rights or their unwillingness to assert those rights. It is unlikely, however, that more assertiveness among Jordanian women would appreciably diminish discrimination against them. Violence against women, especially spousal abuse, is widespread. Cultural norms discourage women from seeking medical or legal help.

Although the government is committed to children's welfare in education and medical care, its efforts are constrained by limited financial resources. The law prohibits children under the age of sixteen from working; however, children are commonly found on the streets of the capital city. It is believed that rates of child abuse in families, particularly child sexual abuse, are quite high. The law specifies punishment for abuses against children, including the death penalty for rape or sodomy. Illegitimate children suffer severe discrimination in a society that does not tolerate adultery.

The government is committed to the welfare of people with disabilities. However, the implementation of constitutional provisions regarding their full access into society is still slow. Workers' rights are generally enforced. However, the law does not provide workers with the right to remove themselves from hazardous conditions without jeopardizing their jobs.

The government imposes some restrictions on freedom of religion, and some minorities are subject to societal discrimination, particularly the Bahai. The government does not recognize Jehovah's Witnesses, the United

Pentecostal Church, the Church of Christ, the Assembly of God, or the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to conduct religious services and activities without interference. Muslims who convert to other faiths complain of social and government discrimination. They might be regarded as apostates and legally be denied their basic rights.

Palestinians residing in Jordan who make up 60 percent of the population, face discrimination in employment and education. Most Palestinians in Jordan are citizens of Jordan; but 150,000 Palestinians in Jordan are residents—not citizens—and have restricted rights.

Citizens can travel freely abroad and within the country; however, their freedom of movement is restricted in some areas controlled by the military. In addition, women need to obtain permission from a male guardian to apply for a Jordanian passport or to travel abroad with children. All Palestinians must obtain permits from the Ministry of the Interior to travel between Jordan and the Israeli-occupied territories.

Although the constitution prohibits the deportation of citizens, the government has deported Palestinians who hold Jordanian passports but do not enjoy the rights of citizens. The government has also prevented Jordanians from attending conferences for Palestinian opposition groups.

The government generally cooperates with the United Nations High Commissioner for Refugees (UNHCR) in assisting refugee and asylum seekers. The children of asylum seekers face bureaucratic impediments in enrolling in school.

Local and international human rights groups are free to investigate and publish their findings on allegations of human rights abuses. However, they are limited in their ability to publish reports alleging torture and other abuses committed by the security services. Local chapters of the Jordanian Human Rights Organization (JHRO) are registered with the government. The government responds to only about 10 percent of the complaints submitted on behalf of victims of human rights violations committed by the security forces.

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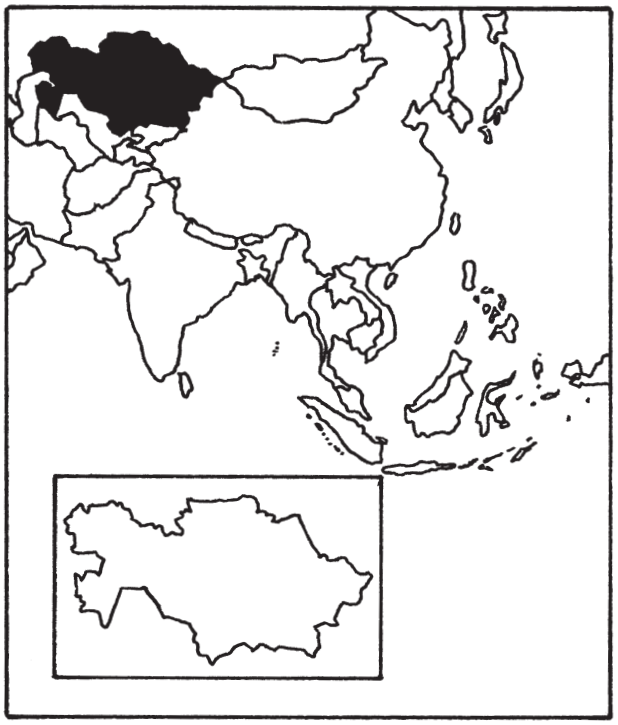
Kazakhstan



The Republic of Kazakhstan is located in central Asia, on the Caspian Sea. It has borders with China, Kyrgyzstan, Russia, Turkmenistan, and Uzbekistan. Its population of 16.8 million is formed by the following ethnic groups: Kazakhs (46 percent), Russians (34.7 percent), Ukrainians (4.9 percent), Germans (3.1 percent), Uzbeks (2.3 percent), Tatars (1.9 percent), and others (7.1 percent). Islam and the Russian Orthodox Church represent the major religious denominations practiced in Kazakhstan. Protestantism and other religions are practiced by a minority. Kazakh is the state language, although Russian is considered the official language and is spoken in everyday business. The city of Alma-Ata is the capital.

BACKGROUND

Upon the overthrow of the Russian empire in 1918, Kazakhstan became a republic within the new Soviet Union. The Soviet regime carried out massive political repression and purges in Kazakhstan, although the later years under Brezhnev allowed the region, like the Soviet Union, to stagnate. In September 1991, with the collapse of the Soviet Union, the Communist Party of Kazakhstan was disbanded and Kazakhstan achieved independence on December 16, 1991.

Kazakhstan is very rich in natural resources, especially fossil fuel reserves, as well as supplies of other minerals and metals. Since independence, the government has made considerable efforts toward achieving a market-based economy. The nation's industrial sector is based on the extraction and processing of minerals and metals, as well as on large machine building—construction equipment, tractors, agricultural machinery, and defense items. The economy has suffered from the breakup of the Soviet Union and the consequent collapse of demand for traditional heavy industry products. Between 1995 and 1997, however, the government program of economic reforms and privatization improved the country's economic situation. Small and medium-sized firms and most large-scale industrial complexes have been privatized. In 1996, the Caspian Pipeline Consortium agreement led to the construction of a new pipeline from western Kazakhstan's Tengiz oil field to the Black Sea, thus increasing prospects for larger oil

exports for the following years. The 1998 oil price depression and the August 1999 financial crisis in Russia resulted in a decline in Kazakhstan's gross domestic product (GDP) growth and in living standards for the majority of the population.

The current constitution of the Republic of Kazakhstan, which was adopted following the August 1995 all-national referendum, concentrates power in the president. It cannot be amended without the president's consent. The president can appoint and dismiss the government, dissolve Parliament, call referenda at his discretion, and appoint administrative heads of regions and cities. The judiciary is under the control of the president and the executive branch, and corruption is deeply rooted. The Committee for National Security—KNB—reports directly to the president and is responsible for national security, law enforcement activities, and counterintelligence.

HUMAN RIGHTS

The constitution adopted in 1995 does not fully safeguard human rights, and violations are committed regularly in a number of areas. In general, democratic institutions are weak, and the government violates citizens' right to change their government. The government's conduct was flawed during the campaign for the January 1999 presidential election. In various instances, the government harassed the opposition by pressuring managers of conference facilities to deny access at the last moment to opponents who had arranged meetings and press conferences or by interrupting electricity at the facilities used for opposition meetings. Further, the government prohibited some opponents from running in the election. Kazakhstan is not technically a dictatorship, but its democratic practices have yet to meet international norms.

Despite a constitutional provision against torture, violence, or other treatment and punishment that is cruel or humiliating to human dignity, members of the security forces often beat or mistreat detainees to obtain confessions. Law enforcement officials usually are supervised very poorly. According to credible reports, detainees sometimes are choked, handcuffed to radiators, or have plastic bags or gas masks placed over their heads to force them to divulge information.

Arbitrary arrests and prolonged detentions are very common. Moreover, prison conditions are very harsh, and overcrowding, inadequate prison nutrition, and a lack of medical supplies and personnel often contribute to the spread of tuberculosis and other major diseases.

Although the constitution provides that citizens have the right to confidentiality of personal deposits and savings, correspondence, telephone conversations, and postal, telegraph, and other messages, the government regularly violates citizens' right to privacy.

The government controls nearly all broadcast transmission facilities and reluctantly tolerates independent media. Journalists cannot criticize the president, his family, and other officials. Opposition newspapers and other media are regularly ordered to close or are forced to sell to progovernment interests. Sometimes independent televisions and radio stations are threatened with non-renewal of their broadcast licenses. According to credible reports, the government pressured newspapers and television stations not to cover the opposition during the 1999 presidential campaign. Similarly, academic freedom is not respected.

Although the constitution provides for the right to peaceful assembly, the government regularly imposes significant restrictions on unsanctioned gatherings, public meetings, marches, demonstrations, picketing, and strikes. Further, freedom of association is often hindered by controversial registration requirements. Organizations, movements, and political parties must register annually with the government. Political parties established on a religious or ethnic basis are usually denied registration on the grounds that their activities could spark social unrest.

The constitution states that no one may be subjected to discrimination for reasons of origin, social position, occupation, property status, sex, race, nationality, language, attitude to religion, convictions, place of residence, or any other circumstances. However, the government regularly discriminates against women, the disabled, and ethnic minorities.

Domestic violence against women represents a serious problem, and every year hundreds of thousands of women are the victims of spousal abuse. Moreover, traditional cultural practices limit the role of women in everyday society and in owning and managing businesses or real property.

Citizens with disabilities are not given equal consideration by employers. In addition, the government does not enforce the requirement that the disabled have access to public buildings and commercial establishments. The government also discriminates in favor of ethnic Kazakhs in government employment, where ethnic Kazakhs predominate, as well as in education, housing, and other areas.

The government routinely limits workers rights, including the right to organize and the right to strike. Authorities usually limit the influence and activities of independent trade unions, which often come under pressure for holding unsanctioned demonstrations and marches. Members of independent trade unions are often harassed. Working and safety conditions in the industrial sector are substandard, and safety consciousness is poor. Workers in factories usually do not wear protective gear and work in conditions of poor visibility and ventilation. Further, workers have no legal right to remove themselves from dangerous work situations without jeopardizing their employment.

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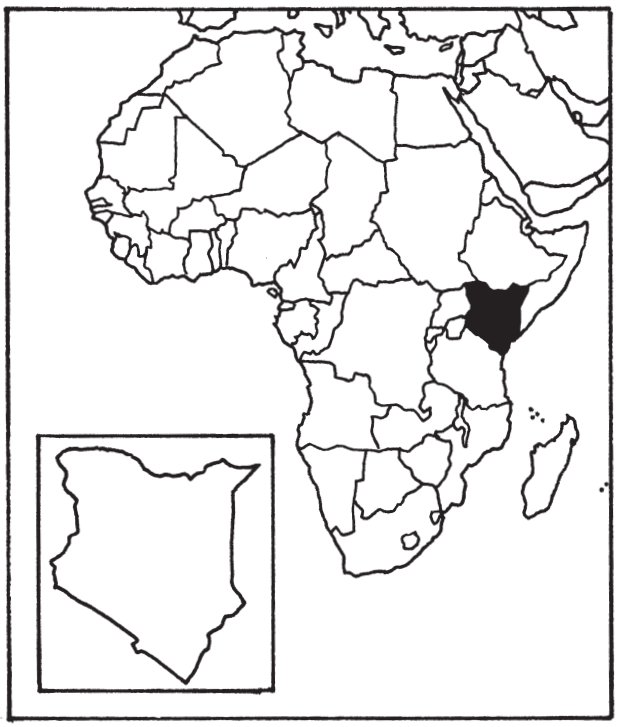
Kenya



The Republic of Kenya is an East African country on the Indian Ocean. It shares borders with Ethiopia, Somalia, Sudan, Tanzania, and Uganda. Its capital is Nairobi. It gained its independence from Britain in 1963. Daniel arap Moi is currently the president and head of state. Its legislature is the unicameral (single house) National Assembly, and its legal system is based on English common law, tribal law, and Islamic law. Since 1993, Kenya has undergone state-sponsored economic liberalization, including the removal of import licensing and the relaxation of price controls. Backed by the International Monetary Fund (IMF), Kenya has pushed for privatization within its national industries. The gross domestic product (GDP) increased by around 5 percent in 1995.

HUMAN RIGHTS

Despite the zeal with which President Moi and his ruling party, the Kenya Africa National Union (KANU), have pursued economic reforms, very little has been done in recent years to address Kenya's ongoing human rights problems. There are reports of police harassment, excessive use of force, torture, and deaths in custody. Refugees from neighboring countries and migrant workers have also been targeted for police harassment, as well as for relocation to rural camps and arbitrary deportation. More ominous perhaps is the government's increasing reliance on gangs of thugs to break up rallies and meetings held by opponents of the government.

Kenya's press is for the most part free of coercion, but some editors and writers have endured reprisals for inflammatory statements; one such editor, who published an article about a corrupt judge, was jailed for six months for contempt of court. Kenya is also struggling with the increasing effects of the AIDS epidemic.

According to the government of Kenya's own figures, police killed 63 suspected criminals and another 151 prisoners between the months of January and October 1999. Police show an alarming lack of restraint when employing lethal force. Examples abound of Kenyan authorities shooting and killing suspected criminals without just cause. In one case, police were sent to a mosque during a religious ceremony to arrest a man wanted for assault, after which they began shooting indiscriminately and killed five innocent worshippers.

Authorities have shown little tolerance for protesters as well, opening fire on a crowd of rice farmers in Mwea who were protesting the policies of the National Irrigation Board, killing two. Lack of adequate training has also shown itself to be a problem; as when responding to a burglary in progress, Nairobi police opened fire on members of the household being robbed, shooting two children. One of the children died.

Some of the persons who died in custody were apparently victims of torture. Police beat one man and dropped him off at a hospital where he died six days later. According to the Kenyan Human Rights Commission (KHRC), police also tortured to death an elementary school student in February 1999, during a night in a town prison. There has been no concerted effort on the part of the Kenyan government to investigate these extrajudicial killings. The government has denied responsibility for these events, saying that although there are forms available at local police stations for police brutality complaints, very few such crimes get reported. This may be explained by the fact that police are reluctant to give out the forms and the Kenyan public remains skeptical of a process that would require the victims of police violence to report it to the same police.

Mob violence in Kenya is on the increase. According to the KHRC, 157 people were killed in mob violence in the first nine months of 1999. Although there are no statistics, there have been reports of deaths during the year caused by violence against persons accused of practicing witchcraft. The KANU Youth, or youth faction of the ruling party, has been involved in dozens of instances of violently dispelling peaceful protests.

Citizens have been subjected to restrictions on their freedom of movement within the country, and many have been denied the right to a fair and speedy trial. The police have conducted massive warrantless "sweeps" in Kenya's major cities, searching for illegal immigrants and firearms. Security forces closely monitor the activities of known dissidents by tapping phones and electronic communications, as well as intercepting mail.

For the most part, the Kenyan press remains forthright and autonomous. Weekly tabloids are extremely critical of the government and often air unsubstantiated rumors. There are four major newspapers, the largest of which is independent and often critical of the government. The second largest newspaper is owned by an investment group with close ties to the ruling party, although it at times has also published articles that chastise the actions of the government. The third-largest newspaper is owned by an opposition politician and rarely praises the authorities.

Although the constitution provides citizens with a right to change their government through free and fair elections, such an event has yet to be proven possible. There has never been an opposition majority in the National Assembly, although the last major elections, held in 1997, were said to represent the view of the majority. However, while in office, the executive holds power over every branch and level of the government. The president appoints provincial and district commissioners, and they appoint all local officials. In elections, many local officials actively aided KANU. There are reports that KANU has received financing through the sale or transfer of state assets. These activities are said to be known to President Moi.

Violence against women is serious and widespread. Cases of rape rose from 903 in 1998 to 1,329 in the first nine months of 1999. Authorities are not inclined to interfere in domestic disputes, owing to the so-

Mothers and children at a clinic in Kiambu.

cial taboos about public discussion of sex and fear of retribution. Women are limited to second-class citizenship and are restricted in their political and economic rights. Women are substantially outnumbered by men in higher education and hold only 5 percent of land titles.

Private citizens must fund their own children's tuition and expenses for school, from kindergarten through university. Additionally, the health care system, which once provided free checkups for school children, is now defunct. Female genital mutilation, widely condemned by most international health organizations, continues in many rural areas. Some estimates assert that as much as 50 percent of the female population of Kenya have suffered from the practice.

Immediately after independence, Kenya set off on an ambitious course, attempting to leave behind its status as less-developed country and model itself on Western democracies. Kenya has found that it must struggle against the same difficulties as its neighboring countries, and in some ways it has succeeded. Nevertheless, the example of Kenya serves as a warning to those who say that human rights automatically follow from economic success.

Eric Busch

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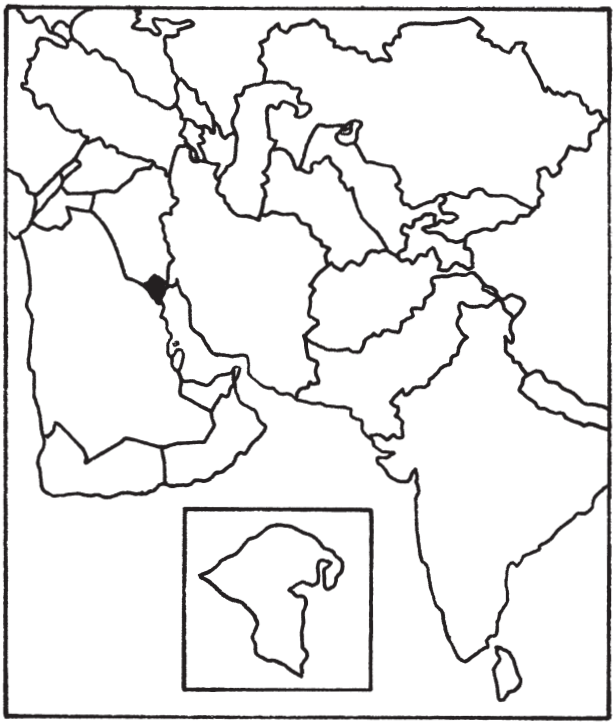
Kuwait



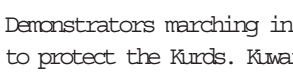
The State of Kuwait is a country in the Middle East, bordering the Persian Gulf, between Iraq and Saudi Arabia. Kuwait City is the capital city. Kuwait's population of 1.9 million—including non-nationals—is composed primarily of Arabs (78 percent). Less than half of them are from the Arabian Peninsula; many moved to Kuwait from nearby states because of the prosperity brought by oil production after the 1940s. Kuwait also has a sizable population of Indians, Iranians, and Southeast Asians. Islam is the majority religion, and about 85 percent of Kuwait citizens are Muslim. Forty-five percent of Kuwaitis are Sunni Muslims and 40 percent are Shi'a Muslims. There are very few Christians. Arabic is the official language of Kuwait, but English is also widely spoken.

BACKGROUND

The origins of Kuwait date back to the eighteenth century, when the city of Kuwait was founded by the Anaiza tribe, which wandered north from Qatar. Amirs, or princes, from the Al-Sabah family have ruled Kuwait for over 200 years. In 1899, Sheikh Mubarak Al Sabah signed an agreement with the United Kingdom, whereby Kuwait would not cede any territory or receive agents or representatives of any foreign power without the British government's consent. Britain was responsible for the security and foreign affairs of Kuwait until June 19, 1961, when Kuwait became fully independent.

Following Kuwait's independence, however, Iraq claimed Kuwait, asserting that when Kuwait had been part of the Ottoman Empire it had been subject to Iraqi authority. In August 1990, Iraq invaded Kuwait and occupied its territory until February 1991, when Iraqi forces were expelled by a United Nations (UN) coalition led by the United States. Arab states, especially the other five members of the Gulf Cooperation Council—Saudi Arabia, Bahrain, Qatar, Oman, and the United Arab Emirates—as well as Egypt and Syria, supported Kuwait by sending troops to fight with the coalition. After liberation, the UN demarcated the Iraq-Kuwait boundary on the basis of the 1932 and the 1963 agreements between the two states. Nevertheless, Iraq continues to make claims on Kuwait.

Kuwait is a small country with massive crude oil reserves—it holds 10 percent of the world's oil reserves. Despite its empha-



Demonstrators marching in favor of American action to protect the Kurds. Kuwait City, April 1991.

sis on an open market, the government continues to dominate the local economy. As a member of the Organization of Petroleum Exporting Countries—OPEC—Kuwait benefited from the dramatic rise in oil prices in the 1970s. More recently, however, its economy has suffered from the triple shock of the 1982 securities market crash, the mid-1980s drop in oil prices, and the 1990 Iraqi invasion, which set ablaze or damaged 749 of Kuwait's oil wells. Industry in Kuwait consists of several large export-oriented petrochemical units, oil refineries, and a range of small manufacturers. Agriculture, on the other end, is very limited because Kuwait lacks water and has practically no arable land. Kuwait depends on food imports, with the exception of fish.

Kuwait is a member of the UN and some of its specialized and related agencies, including the World Bank, the International Monetary Fund, the World Trade Organization, the General Agreement on Tariffs and Trade; it also belongs to the African Development Bank, the Arab Fund for Economic and Social Development, the Arab League, the Non-Aligned Movement, the Organization of Arab Petroleum Exporting Countries, the Organization of the Islamic Conference, and the Organization of Petroleum Exporting Countries.

Kuwait is a constitutional monarchy. The constitution, adopted in 1962, provides for an elected National Assembly—the Majlis al-'Umma. The amir—head of state—represents the executive branch of the government, whereas the High Court of Appeal represents the judiciary. The amir can suspend the constitution during periods of martial law. Furthermore, the judiciary is independent to some degree, but the amir appoints all judges. The Ministry of Interior supervises the security apparatus, including the Criminal Investigation Department (CID) and Kuwait State Security (KSS). These two agencies, in addition to the regular police, investigate internal security problems.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, although serious violations continue to occur in a number of areas.

Citizens cannot change their head of state, and the National Assembly's power to approve the amir's choice of his successor is very limited. Formal political parties are banned, and women and citizens naturalized for less than twenty years may not vote or be elected to the National Assem-

bly. Moreover, members of the armed forces, police, and other personnel of the Ministry of Interior may not vote.

The constitution prohibits torture. However, some police and members of the security forces routinely mistreat detainees during interrogation. Among the abuses practiced are blindfolding, verbal threats, and slaps and blows. Usually it is non-Kuwaitis—especially citizens of non-Gulf Arab nations and Asians—who are victims of such abuses. Prisons are overcrowded but meet minimum international standards in terms of nutrition, access to basic health care, family visits, cleanliness, and opportunities for work and exercise.

The government does not respect citizens' privacy rights in some areas. The security forces occasionally monitor the activities of individuals and their communications. The law requires that men obtain government approval to marry foreign-born women. Moreover, the government advises women against marrying foreign men and prohibits marriage between Muslim women and non-Muslim men.

Journalists frequently practice self-censorship, despite the constitutional provision guaranteeing freedom of the press and freedom to criticize the government at public meetings and in the media. The government often practices informal censorship against publishers and editors believed to have attacked government policies and/or discussed issues considered offensive to Islam, tradition, and the interests of the government. The Ministry of Information censors all imported books, films, videotapes, periodicals, and other such materials. In general, academics are subject to the same restraints as the media regarding criticism of the amir or Islam.

The government restricts freedom of assembly and association. Public gatherings, as well as private gatherings of more than five persons, are permitted only upon governmental approval. Political activity is allowed only in what are known as *diwaniyas,* which are informal, family-based, almost exclusively male social gatherings. All nongovernmental organizations (NGOs) must obtain a license from the Ministry of Social Affairs and Labor.

The government places some limits on freedom of religion. Islam is the state religion, and Islamic law is considered the main source of legislation. The ruling family belongs to the Sunni branch of Islam. Shi'a Islamists, however, are free to conduct their traditional forms of worship without government interference, although they claim that the government has not approved the construction of new Shi'a mosques in recent years. Several legally recognized foreign congregations and churches—Catholics, Angelicans, and Protestants—are allowed to practice their religion freely.

Those practicing religions not sanctioned in the Koran are restricted, including Hindus, Sikhs, Bahais, and Buddhists. Members of such religions may not build places of worship, although they may worship privately in their homes. Missionaries may not proselytize among Muslims, and the establishment of non-Islamic publishing companies or training institutions for clergy is not permitted. The law also prohibits the naturalization of non-Muslims as Kuwaiti citizens. When marrying a Muslim woman, a non-Muslim man must convert to Islam, whereas a non-Muslim woman does not have to convert to Islam to marry a Muslim man, although it is to her advantage to do so.

The government also places some restrictions on freedom of movement. Married women who apply for passports must obtain their husbands' signature on the ap-

plication. Husbands may also prevent their wives' departure from the country by placing a twenty-four-hour travel ban on them. Also, all minor children must have their fathers' permission to travel outside of the country. The government prevents the return to Kuwait of the *bidoon*—stateless persons of mainly Iraqi or Iranian descent who resided in Kuwait prior to the Iraqi invasion. Further, the government restricts the presence of nationals of the countries that supported Iraq during the Gulf War, especially Jordanians, and Yemenis, as well as Palestinians.

Although the constitution prohibits discrimination on the basis of race, national origin, language, or religion, it does discriminate against women and non-citizens.

Violence against women, including domestic abuse, is very common. Some employers regularly abuse foreign women working as domestic servants. These women often do not sue their employers for fear of deportation as well as the justified fear that the judicial system is biased against them. Moreover, women are denied the right to vote, and their testimony is not given equal weight to that of males in the Islamic courts. Traditionally, women are not allowed to choose certain roles in society or to work in industries or trades considered dangerous or harmful to their health. There are no female judges or prosecutors. The law discriminates against women married to foreign men. Such women must pay residence fees for their husbands and are not entitled to government housing subsidies. Polygamy is legal, while the marriage of girls under the age of seventeen remains a practice of the Bedouins, a traditional, tribal Arab group.

Although the constitution provides for the right to join unions, the government restricts workers' rights by prohibiting workers from freely establishing trade unions. In general, strikes are not allowed, and all labor disputes must be referred to compulsory arbitration. Furthermore, despite the law against forced labor, some foreign workers—especially unskilled or semiskilled South Asian workers—are treated like indentured servants.

The government allows international human rights organizations to visit the country and establish offices. In contrast, it prevents the establishment of local human rights groups.

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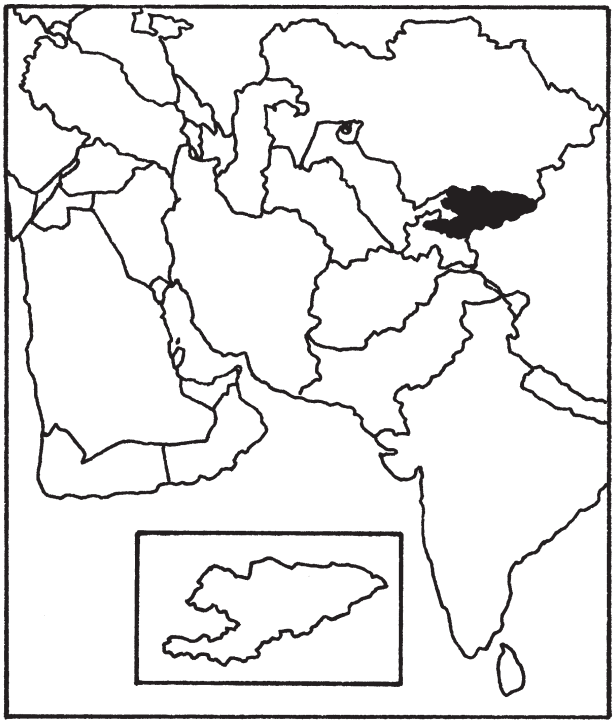
Kyrgyzstan



Kyrgyzstan is located in central Asia, and is bounded on the north by Kazakhstan, on the east by China, on the west by Uzbekistan, and on the south by Tajikistan. Bishkek is the capital city. The population of slightly over 4.5 million includes Kirghizs (52.4 percent), Russians (18 percent), Uzbeks (12.9 percent), Ukrainians (2.5 percent), Germans (2.4 percent), and others (11.8 percent). The official languages are Kirghiz and Russian. The great majority of the population is Muslim (about 75 percent); the remainder is Russian Orthodox (20 percent) or professors of other religions.

In March 1991, after a referendum, Kyrgyzstan became independent from the former Soviet Union. However, the newly formed republic joined the new Commonwealth of Independent States (CIS). In January 1992, Kyrgyzstan was admitted into the Conference on Security and Cooperation in Europe (CSCE). In March 1992, it became a member of the United Nations (UN).

Kyrgyzstan has a predominantly agricultural economy. However, since its independence, Kyrgyzstan has carried out many market reforms and the government has been trying to adopt adequate countermeasures to overcome economic problems, including a high unemployment rate.

The president is the chief of the state and appoints members of the cabinet on recommendation of the prime minister. The legislative branch is a bicameral Parliament called the Supreme Council, which is formed by the Assembly of People's Representatives (seventy seats) and the Legislative Assembly (thirty-five seats). Elections are held every five years. The judiciary consists of the Supreme Court, which is appointed for a ten-year term by the Supreme Council on recommendations of the president.

The constitution grants all the fundamental human rights, but violations are reported in several areas. Citizens have limited rights to change their government. As a matter of fact, local and international observers have reported irregularities in the 1995 presidential and parliamentary elections.

The police reportedly use violence in order to obtain confessions from detainees during interrogation. Prison conditions do not meet minimum international standards. Overcrowding, inadequate nutrition, and a lack of necessities such as food are among the main problems. Visits by human

rights monitors are allowed, but many activists claim that permission can be obtained only through personal connection with the police.

The constitution provides for an independent judiciary, but in practice the courts are subject to the influence of the executive branch. In addition, judges often are willing to accept bribes in exchange for leniency.

Numerous private magazines, newspapers, and radio and television stations exist nationwide, but the government occasionally restricts freedom of speech and the press. The government does not respect the constitutional provisions regarding freedom of assembly and association. Permission is required for rallies and demonstrations, and such permission is sometimes denied.

Violence against women is a serious problem, with rape a too-frequent occurrence. However, many of these incidents are not reported because of cultural traditions, psychological pressure, and negligence by the authorities. Shelters for women are not sufficient to meet the need. The government does not assure decent living conditions for children because of the poor socioeconomic situation.

A law passed in 1991 provides the disabled with access to public transportation and parking. The government cooperates with United Nations High Commissioner for Refugees and other humanitarian organizations in order to assist refugees.

Several human rights organizations operate in the country without restriction, and the authorities are generally cooperative with them.

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Laos

The Lao People's Democratic Republic is located in Southeast Asia. Its capital is Vientiane and it became independent from France in 1949. It shares borders with Vietnam, China, Myanmar (Burma), Thailand, and Cambodia. Laos is ruled by an authoritarian, communist government. It is under one-party rule, and although it has the constitutional rudiments of defined executive, legislative, and judicial bodies, in practice, the Lao People's Revolutionary Party (LPRP) has exerted complete control over all government functions since its rise to power in 1975. The Laotian legal system is based on traditional customs, French legal procedures, and socialist practice.

Laos is extremely poor, even by regional standards. It has a primarily agricultural economy. Since the mid-1980s, Laos has incrementally shifted to a free-market economy. Today, the Laotian government encourages foreign investment and has endeavored to create a more effective legal system to entice potential investors.

The Ministry of the Interior (MOI) is the primary instrument by which the government maintains internal security, although it shares many of its function with various LPRP organizations. Foreigners are primarily monitored by the Ministry of Foreign Affairs, although once again, it shares many of its duties and resources with both the MOI and the party apparatus.

All security agents in Laos, including local, border, and communications police, work under the auspices of the MOI. The armed forces' primary responsibility is external security, although they do maintain units specializing in counterterrorism and counterinsurgency. Most observers believe that the civilian government maintains solid control over the security forces.

HUMAN RIGHTS

Laos has traditionally struggled in matters of human rights, and many problems still remain. Under the one-party system, citizens do not have the right or the means to change their government. Security forces under the LPRP have committed numerous human rights violations, such as arbitrary arrest and detention, intrusive surveillance tactics, and brutal treatment of suspected dissidents. Many captives are detained for inordinately lengthy periods before trial. Because the judiciary is subject to executive and party influence, it cannot ensure due

process. The Laotian government also restricts freedom of speech, assembly, and association. The government restricts freedom of religion and freedom to move within the country. Women and minorities must contend with social and legal discrimination, and workers do not have access to collective bargaining. The government has acknowledged the issue of human trafficking (mostly women and children) and has taken some preventative measures in this area.

In matters of free speech, the Laotian government has an extremely poor recent record. In October 1999, at least thirty people were arrested for planning an anti-government demonstration in Vientiane. They reportedly intended to demand the abdication of the current government, more freedom, and a multiparty democracy. Laotian officials characterized the abortive demonstration as an illegal anti-government activity. This demonstration and others like it were never reported in the Laotian press.

Security laws in Laos allow the authorities to monitor the communications of private citizens. Evidence indicates that the Laotian government increased its surveillance efforts during 1999. The Laotian Penal Code makes allowances for the protection of privacy, including mail, telephone, and electronic correspondence. In practice, however, it is difficult to judge the efficacy of these legal safeguards.

Restrictions of freedom of religious expression continue: people belonging to small church groups not under state control face imprisonment and in some cases forced relocation. More than fifty-five Christians were arrested between January and July 1999 in various provinces. Most of the men arrested were rice farmers and day laborers belonging to the Bru ethnic minority, and several had been arrested previously on similar charges.

Those who are arrested and detained face ill treatment and unsanitary conditions. Prisoners are reportedly denied adequate food and medical care. In many cases, political prisoners and prisoners of conscience face the most harsh prison conditions. Some cases of torture have been reported. Although both the constitution and penal code of Laos prohibit torture, members of the Laotian security service have treated their prisoners abusively. In March 1998, Laotian authorities wearing police uniforms arrested and detained a foreign citizen and three family members for four days. The detainees were reportedly kept in solitary confinement and subjected to arduous interrogation. The government has offered no explanation for this treatment. Additionally, some reports have indicated the use of leg chains, wooden stocks, or hand manacles for extended periods in some Laotian prisons.

Laos has its difficulties with discrimination against minorities. One of the most numerous ethnic minorities in Laos are the Hmong. Societal discrimination against the Hmong persists, although there are now several Hmong officials holding senior positions within the government. Beginning in the early 1990s, the Laotian government introduced programs to overcome racial and economic disparities in Hmong areas. Some observers note that the Laotian government's attempts to assimilate the Hmong into the general Laotian culture are not respectful of Hmong culture.

Women are equal in the eyes of the law and enjoy general parity with men in matters of law and society. Reports of rape and sexual harassment are rare, and in most cases that go to court, defendants are convicted. The Lao Women's Union operates nationally to advance the position of women

With her children standing nearby, an impoverished Loatian woman cooks food in her makeshift home.

in society. The Family Code prohibits legal discrimination in matters of marriage and inheritance. Government funding for children's basic health and nutritional needs is lacking. Education is compulsory until the fifth grade, although many rural children are working with their parents at much younger ages. Violence against children is prohibited and violators are punished severely. Reports of physical abuse are rare.

Laos, like many other countries, is trying to integrate itself into the fast-paced capitalism of the region while holding onto its traditional authoritarian modes of governing. The impact of this transition will likely have a major effect on human rights.

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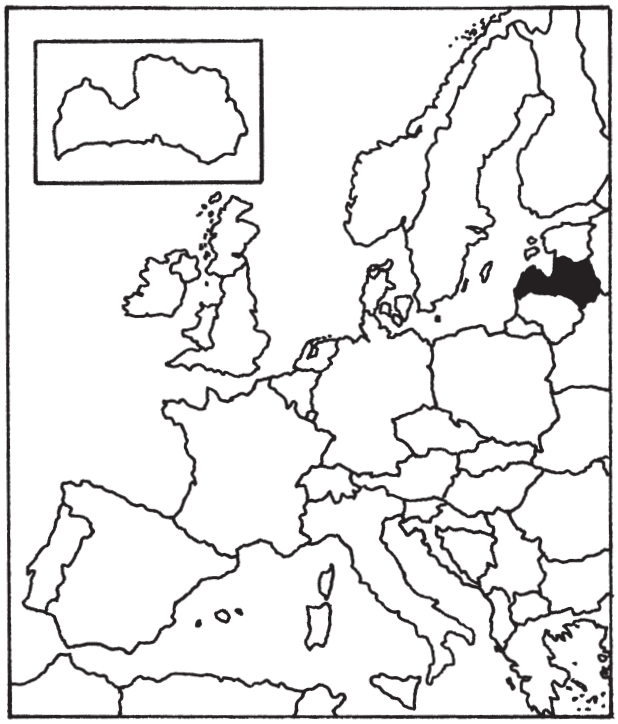
Latvia



The Republic of Latvia is situated in eastern Europe, bordering the Baltic Sea, between Estonia and Lithuania. Riga is the capital city. Latvia has a population of approximately 2.5 million. Ethnic groups include Latvian (56.5 percent), Russian (30.4 percent), Belarusian (4.3 percent), Ukrainian (2.8 percent), Polish (2.6 percent), and other (3.4 percent). Lettish is the official language, although Russian is also widely spoken. Most Latvians belong to the Evangelical Lutheran Church, but a large minority are Russian Orthodox and eastern Latvians are predominantly Roman Catholic.

BACKGROUND

Along with other small nations of Europe, Latvia shares a history of invasion by a succession of expansionist nations, including Sweden, Poland, Germany, and Russia. After a brief period of independence between the two world wars, Latvia was annexed by the Soviet Union in 1940. German occupation followed, but the Soviet Union recaptured Latvia in 1944. Latvia reestablished its independence in August 1991, a few months prior to the collapse of the Soviet Union; the last Russian troops left in 1994. Russia has expressed concern about how Latvia's laws on language and naturalization may affect non-ethnic Latvians (mostly Russians), who comprise about 30 percent of the population. In turn, Latvia is committed to the welfare of over 210,000 ethnic Latvians who reside in Russia. Both countries refuse dual citizenship to their inhabitants.

Latvia is a parliamentary democracy. The president is the head of state and is elected by the Parliament every four years. The prime minister, as chief executive, and the cabinet are responsible for the government. The Saeima is a unicameral legislative body and the highest organ of state authority. The 1998 elections for its 100 seats, and the national referendum for amending the Citizenship Law to meet European standards, were recognized internationally as free and fair. The judiciary is independent.

Latvia has been a member of the United Nations (UN) since 1991 and is a signatory to a number of UN organizations and other international agreements. It is also a member of the Organization on Security and Cooperation in Europe and of the North Atlantic Coordinating Council. Latvia welcomes further cooperation and integration

with National Atlantic Treaty Organization, the European Union, and other Western organizations. In addition, Latvia was the first Baltic country invited to join the World Trade Organization in 1998.

The country's economy is in transition toward full privatization and a free market. With the exception of enterprises in the sectors of shipping, telecommunications, and energy, all state monopolies, including agricultural land, have been privatized. Per capita gross domestic product is estimated at approximately $4,100. The unemployment rate is about 9 percent and inflation about 4.7 percent. Foreign investment is still modest.

HUMAN RIGHTS

Citizens enjoy a variety of human rights and liberties. In October 1998, the Saeima passed amendments to the 1992 constitution providing for the protection of fundamental human rights, including the freedoms of speech, the press, religion, and association, together with protection against discrimination based on race, sex, religion, language, or disability. However, the country's human rights record shows problems in a few areas.

The security forces, including the police and the Interior Ministry Forces, have been responsible for some human rights abuses. There have been reports that police and prison officers beat and mistreat detainees and prisoners. Civilians are often victims of harassment, extortion, and use of excessive force by the municipal police. In most cases, the government has taken steps to discipline the perpetrators.

Prisons lack sanitation, medical care, and other resources. Cells are overcrowded and poorly ventilated. Pretrial detention is a problem. The judiciary remains inefficient because of untrained personnel and corruption. The government does not restrict freedom of association. However, communist, Nazi, and other organizations whose activities are judged as dangerous to the constitution are banned and denied legal status. Non-citizens are also prohibited from forming political organizations.

Women face discrimination in employment and wages, especially in the private sector. They are underrepresented in government and politics. Violence against women, including domestic violence, is a serious problem. Sexual harassment in the workplace is widespread. The authorities do not effectively enforce laws concerning prostitution. Both adult and child prostitution are widespread and linked to organized crime. The government is committed to the protection of children's rights in accordance with Western models. However, resources are inadequate to enforce legal provisions regarding children's welfare. There are reports that child abuse, including sexual abuse and abandonment, is common.

Although freedom of religion is generally respected, the Law on Religious Organizations accords certain rights and privileges only to those religious organizations that register with the government. Foreign evangelists and missionaries can proselytize only if they have been invited by Latvian religious organizations. There have been reports of incidents of religious intolerance, particularly directed against synagogues.

The constitution prohibits discrimination based on ethnicity. The new Citizenship Law passed in 1998 eased restrictions on the naturalization process; however, noncitizens occasionally encounter difficulties in participating fully in civic life. More than 70 percent of Latvia's residents are citizens, including non-ethnic Latvians. The law pro-

vides for the basic needs of non-citizens, including unemployment compensation and social security benefits. However, certain laws prohibit the employment of non-citizens in certain categories. In addition, non-citizens must overcome complicated procedures to own land. Non-ethnic Latvians, particularly Russians, allege that the Citizenship Law has a language requirement that discriminates against them. The Citizen and Migration Affairs Office deals with immigration issues and provides alien passports to non-citizens. Permanent resident non-citizens, including former Soviet citizens, can change residence, travel abroad, and return to the country.

The government cooperates with the United Nations High Commissioner for Refugees and is implementing the terms for Latvia's accession to the 1951 Convention Relating to the Status of Refugees. Many nongovernmental organizations (NGOs) dealing with human rights issues are encouraged by the government and are growing in number. These NGOs particularly address prison conditions, women's rights, and children's rights. The National Human Rights Office operates independently by promoting human rights and conducting investigations of alleged violations.

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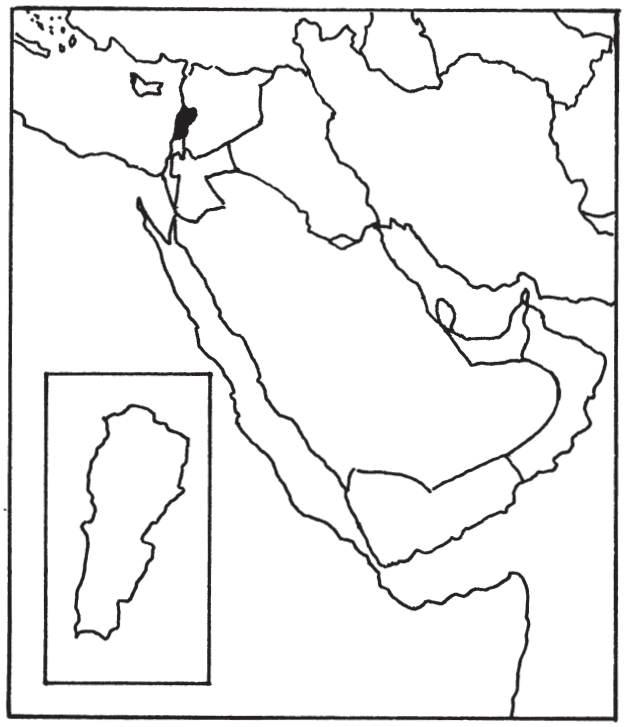
Lebanon



Lebanon is located in the Middle East on the east coast of the Mediterranean Sea. Its neighbors are Syria and Israel. It has a population of 3.5 million. Almost the entire population are ethnic Arabs. The important divisions in Lebanon are religious: approximately 70 percent of the population are Muslims, and the remaining 30 percent are Christians. Arabic is the official language of Lebanon, but French is also widely spoken. The capital is Beirut. The government is a republic headed by a president.

BACKGOUND

Lebanon has a long history stretching back to the earliest days of civilization. Occupied by a variety of peoples and civilizations, Lebanon was a center of Christianity during its earliest years. With the rise of Islam, Arab invaders conquered Lebanon and much of its population eventually embraced Islam. Lebanon's unique Middle Eastern mix of Christian and Muslim populations stems from this history.

For most of the last 500 years, Lebanon was not independent but was a province of the Ottoman Empire. World War I (1914–1918) destroyed the Ottoman state, and after its disintegration Lebanon was put under the supervision of France, one of the victors in the war. Lebanon gained its independence on January 1, 1945.

Since independence, Lebanon has had to deal with three threats to its stability: the internal tensions between Muslims and Christians; the desire of some Syrians to absorb Lebanon into a "Greater Syria"; and the fallout from the conflicts inside Israel.

The conflicts in Israel caused particular tension in the region after tens of thousands of Palestinian refugees fled from the newly created State of Israel (1948); they and their descendents are still in refugee camps in Lebanon today. Some of those refugee camps were used as bases for Palestinian guerrillas who launched attacks on Israeli territory. Partly as a result of these attacks and the Israeli military strikes in response to them, a Lebanese civil war broke out 1975. That war escalated with Israel's 1982 invasion of Lebanon, which led to a temporary occupation of half of Lebanon and a seven-year occupation of southern Lebanon. The fighting damaged much of Lebanon and helped destroy the once-beautiful city of Beirut. The war was an enormous human rights catastrophe for Lebanon.

Civilians in a makeshift hospital (a parking garage basement) while Beirut faces Israeli attack, July 1982.

The civil war ended in 1991, but not all the fighting ceased. Syria still maintains a military presence in Lebanon and continues to influence its internal political situation. Israel also has continued to intervene in Lebanon, carrying out air raids against suspected Palestinian guerrilla bases. The ongoing friction that has resulted from these two foreign powers' presence in Lebanon has continued to have a negative impact on Lebanon's human rights situation.

HUMAN RIGHTS

Lebanon has a mixed human rights record. The government generally makes good-faith efforts to protect the human rights of its people, but the fractured nature of Lebanon's political world means that the government does not always control the human rights situation in the country. In particular, the 25,000 Syrian troops that remain in Lebanon are believed to be responsible for human rights violations, and the same is suspected of the Israeli-backed militias in southern Lebanon (which were withdrawn in early 2000). Israeli raids and Palestinian guerrilla actions also lead to crimes against human rights. Each year, dozens of fighters allied with these various factions are killed in small-scale skirmishes.

The citizens of Lebanon have the right to change their government to a limited extent. Recent parliamentary and presidential elec-

tions were generally fair, but the government's lack of control over much of the country—those areas under Syrian, Palestinian, or local militia control—meant that polling in those areas was flawed. Syrian influence, in particular, affects political campaigns and prevents entirely free elections. However, Lebanon has made much progress in this area and seems to be on the road toward eventually granting its people the right to freely choose their own government without any restrictions or limitations.

The human rights record of Lebanon's security forces is not good. The use of arbitrary arrests is common. Police use harsh methods to interrogate detainees and sometimes these methods cross over the line into torture. Palestinian security forces in Palestinian refugee camps are also sometimes believed to use torture on those they arrest. Before their withdrawal early in 2000, the Israeli-backed Southern Lebanon Army was responsible for numerous arbitrary arrests and the use of torture. The Syrian security forces are also believed to be responsible for arbitrary arrests and torture.

The Lebanese judiciary is nominally independent, but in reality it is prone to respond to political pressure. The political importance of individuals often determines whether or not they will be arrested or convicted. The courts generally avoid convicting persons closely connected to Syria, largely out of fear of Syria's large military presence in Lebanon.

Prisoners in Lebanon are not treated well. Prisons are overcrowded, lack adequate heat, sufficient plumbing facilities, including toilets, and decent medical care. Human rights advocates are allowed access to some, but not all, Lebanese prisons. Some Lebanese still are believed to be held in Syrian prisons.

The Lebanese government does protect its citizens' right to privacy. Phone taps and visual surveillance of political opponents are commonplace. Syrian security forces, with the acquiescence of the Lebanese government, are also believed to be responsible for numerous privacy violations.

The right to free speech and a free press is under pressure in Lebanon, but for the most part it is protected. Government officials put pressure on journalists to offer a favorable view of government actions, and this results in some degree of self-censorship by journalists. Nevertheless, Lebanon's print media are lively, and newspapers are fairly free in their criticism of the government and its officials.

The government protects the right to worship freely. In a country with as many denominations of Islam and Christianity as Lebanon, religious freedom is almost a necessity for survival. There are occasional clashes between religious extremists in Lebanon, but the government, for the most part, is able to keep these from escalating.

One of Lebanon's biggest human rights problems is the existence of Palestinian refugee camps that have been located within its borders for more than fifty years. There are between 200,000 and 300,000 Palestinians living in refugee camps. Conditions in these camps, which more resemble urban slums than the sea of tents that the word "refugee" usually conjures, are difficult. They are largely self-governed and the local police often do not follow human rights guidelines. Sanitation, health care, and shelter are inadequate for the large number of Palestinian refugess who are forced to live in Lebanon. The Lebanese government makes it difficult for Palestinians to obtain the legal documents necessary to find employment, thereby causing them to suffer great economic hardships.

Discrimination and violence against women, particularly spousal violence, remain problems in Lebanon. Nevertheless, Lebanon has a vibrant and active women's movement that is working to fight for women's rights and create greater awareness of the issue of spousal abuse. Like many Arab countries, Lebanon's courts are more lenient to men who kill female relatives for reasons of "honor"—these women are usually targeted by their families because of having engaged in adulterous relationships, and some Lebanese continue to feel that these murders are entirely justified.

In theory, the government supports the rights of children, but in practice inadequate funding and Lebanon's war-torn landscape put many children in jeopardy. Education and health care have still not reached pre-1975 levels for many Lebanese children.

Local and international human rights groups are permitted to operate in Lebanon and are quite active.

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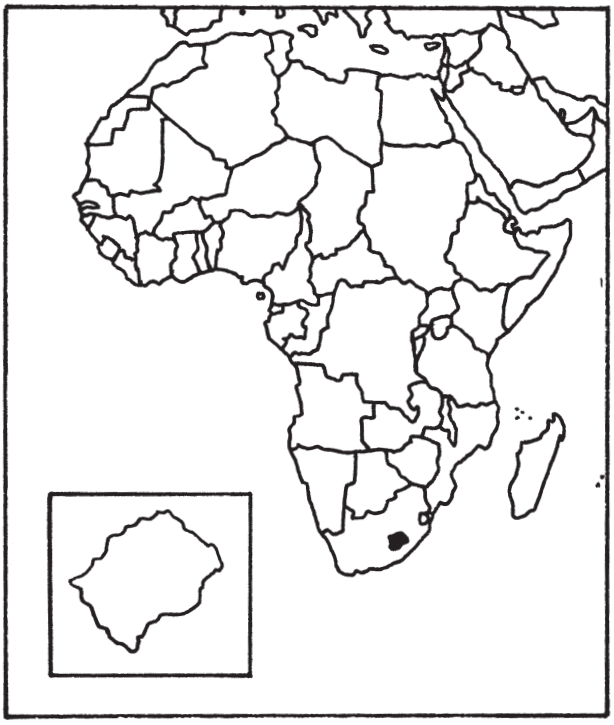
Lesotho



Lesotho is a small African country existing as an enclave within the nation of South Africa. Originally called Basutoland, it was renamed the Kingdom of Lesotho upon achieving independence from Great Britain in 1966. The population is approximately two million; almost all are members of the Sotho ethnic group. The capital is Maseru.

Lesotho is a modified constitutional monarchy, much like that of the United Kingdom, in which the king, in this case King Letsie III, fills a ceremonial role, having no executive authority and being prevented from taking an active part in political affairs. Prime Minister Pakalitha Mosisili took power in 1998, and serves as the executive and head of government. Opposition leaders claim that the elections which carried the prime minister to office were fraudulent, and they protested by using violence to destabilize the government, attack the police, intimidate business leaders and merchants, and attempt to spark a rebellion in the army.

In September 1998, the South African Development Community (SADC), a regional security organization, created a military task force to intervene in Lesotho in order to subdue an army mutiny and restore law and order. Political tension in Lesotho persists, however, injuring the cause of human rights for Lesotho's citizens.

Lesotho's security forces consist of the Lesotho Defense Force (LDF), the Lesotho Police Service (LPS), and the National Security Service (NSS). The government has made attempts to put all three of these organs under direct civilian control. However, the Lesotho armed forces have had a history of intervening in the country's political affairs (the LDF ruled Lesotho under two successive military regimes: from 1985–1990 and 1990–1993). Under the leadership of the SADC, fifty army officers were charged with fomenting rebellion and court-martialed. This instance marked the first instance in which any member of Lesotho's armed forces were disciplined by a civilian legal system.

HUMAN RIGHTS

Lesotho's recent human rights record has been marred by the violence of the 1998 re-

volt. In February 1998, police opened fire on a group of protesters, killing two and injuring twenty. The police officers were subsequently arrested, but later released when no one registered a formal complaint. During the unrest of 1998, violence between police, protesters and opposing political factions claimed the lives of nine people, including one police officer. In the war, over fifty members of the LDF and forty civilians aligned with the opposition died in combat with troops from the SADC.

There have been no reports of extrajudicial killings. However, there have been substantiated reports that the police used excessive violence against detainees. Opposition leaders charge that LDF soldiers and the police tortured soldiers accused of mutiny, although no evidence has been given to support this claim.

Prison conditions are poor, but not life-threatening. Representatives from Amnesty International were allowed to visit prisoners being held on charges of mutiny in Lesotho's maximum security prison. They reported that the inmates' cells were infested with insects and lacked adequate light, ventilation, and sanitation facilities. The judge advocate later ordered prison officials to improve prison conditions, after which inmates received better food and sanitation. Women and men are housed separately and there have been no reports of rape in prison.

Lesotho's constitution provides for freedom of speech and freedom of the press, and the government usually respects these rights in practice. There are several independent newspapers, including a Roman Catholic Church publication, one controlled by the Lesotho Evangelical Church, and four English-language newspapers. All of them frequently criticize the government. Although some journalists have complained about the inaccessibility of government documents, the press is allowed to freely cover government activities. The government controls two weekly newspapers and one radio station and conducts a one-hour daily newscast on a local television channel. Citizens have access to South African media and satellite television broadcasts from around the world. Lesotho's government runs the only university and respects academic freedom.

Domestic violence occurs frequently in Lesotho, and is believed to be a widespread problem, although accurate statistics are not currently available. Local tradition allows women to return to their "maiden homes" if they are abused by their husbands. Common law stipulates that wife beating is a criminal offense, but few domestic violence cases are brought to trial. Lesotho custom and common law limit the rights of women in matters of property disputes and inheritance. Women have the right to sue for divorce, but as long as a woman is married, her legal rights are coopted by those of her husband. She cannot enter into legally binding contracts without the consent of her husband. Traditionally, suitors are expected to pay a "bride price," reinforcing the idea that women are a form of property.

The government has not adequately addressed issues of child welfare, although it has allocated substantial sums to improving national primary and secondary schools. Education is not compulsory at any age, and 25 percent of Lesotho's children do not attend school of any kind. Child abuse is not common, but children are often forced to work at very young ages.

The Lesotho government's attitude toward human rights has been generally open and favorable. The government does not prevent or hinder the efforts of non-governmental human rights groups, which continue to operate freely and openly criticize the government.

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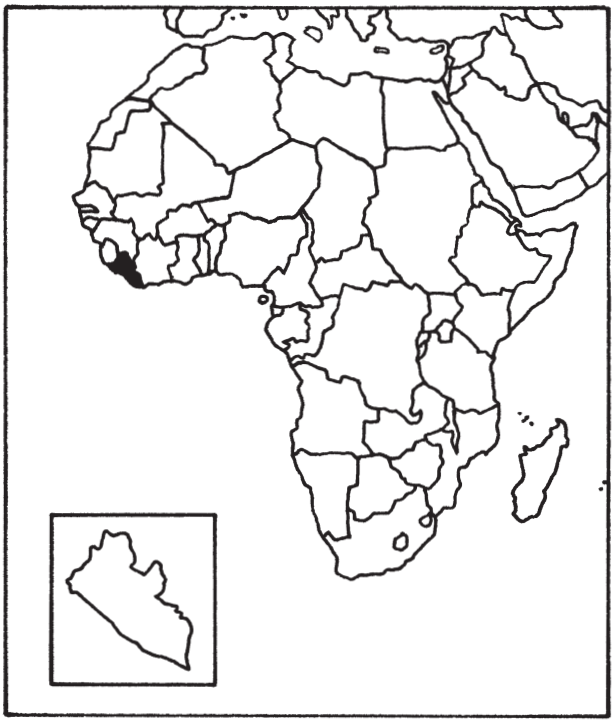
Liberia



The Republic of Liberia is a country in western Africa, bordering the Atlantic Ocean, between Ivory Coast and Sierra Leone. Monrovia is the capital city. Liberia has a population of approximately 3 million. Ethnic groups include indigenous African tribes (about 95 percent) and Americo-Liberians (about 2.5 percent), who are descendents of freed slaves who came to Liberia from the United States and the Caribbean. About 70 percent of the population are animists; the rest are Christians or Muslims.

BACKGROUND

Founded as an independent republic in 1847, Liberia's turbulent history has been characterized by a succession of military coups and internal civil wars. Until 1980, the minority Americo-Liberians dominated the government through the True Whig Party. However, in 1980 Samuel Doe, a member of the indigenous Krahn ethnic group, seized power through a military coup. Doe was killed in 1990, at the onset of a civil war that ended in 1996 with the Abuja Peace Accords. In July 1997, presidential and legislative elections were held in an atmosphere of intimidation, although they were considered administratively open by international observers. Charles Taylor, leader of one of the warring faction, won the presidency, and his National Patriotic Party (NPP) obtained the majority of seats in the National Assembly.

Although the constitution provides for the separation of powers, traditionally the presidents have retained extraordinary power. The state remains highly centralized. The president is both the head of government and head of state. The bicameral National Assembly does not exercise genuine independence, and the judiciary is subject to the influence of the executive.

Liberia's economy has been mostly destroyed by the civil wars of 1989–1997. The newly elected government has inherited massive international debts. Despite its natural resources, such as iron ore, rubber, timber, diamonds, and gold, together with a climate favorable to agriculture, Liberia's productive capacity is depressed. The main problems are, among others, the lack of infrastructures, the corruption and exploitation at all levels of society, and the internal displacement of civilians. Unemployment rate is estimated at over 70 per-

Dead rebels being carried toward a mass grave near Monrovia, November 1990.

cent. Approximately 80 percent of the population lives below the poverty line.

HUMAN RIGHTS

Liberia's human rights record continues to be very poor in many areas.

The security forces are reportedly responsible for human rights abuses, including extrajudicial killings, ritualistic killings, and use of excessive force. Clashes between governmental forces and ethnic Krahn fighters that opposed Taylor's faction during the civil war have resulted in hundreds of deaths and disappearances.

Security personnel routinely use torture and other degrading treatments during interrogations of suspected criminals. Civilians living in rural areas, refugees at the border, and displaced persons are commonly harassed and extorted of money or goods by the security forces. The government occasionally investigates some of the alleged abuses committed by the security forces; however, those convicted are either exonerated or receive light sentences.

Prison conditions remain harsh, often life-threatening. Prisons are overcrowded and detainees are not provided with adequate food and medical care. Children are often incarcerated with adult inmates.

Arbitrary arrests and detention are serious problems as well. Citizens are not granted the right to due process. Corruption, lack of professionalism, and pressure from the executive characterize the judicial system. Lengthy pretrial detentions are common and result from inefficiency and lack of resources. Traditional courts still operate in several localities where the judiciary has not been reestablished. The authorities condone clan chieftains' habits of administering criminal justice with the use of "trial-by-ordeal" methods of determining guilt or innocence. One such method is the placement of a burning piece of metal on a suspect's body to determine whether the person is telling the truth.

The government infringes on citizens' right to privacy. Police and security forces routinely conduct searches without warrants and often loot homes. They are also responsible for harassment and threats against opposition figures and their families, human rights activists, and journalists.

The government restricts freedoms of speech and the press. Private newspapers and radio stations have been closed down. Journalists and editors practice self-censorship. International cable or satellite television broadcasts are not available. News programming is usually pro-government.

The government generally respects the rights of freedom of assembly and association. Workers can form trade unions and they have the right to strike. However, their activ-

ities remain limited, partly because of widespread illiteracy. Workers' health and safety standards are not enforced.

Although the constitution prohibits discrimination based on sex, race, language, religion, disability, or social status, the government does not enforce those provisions in practice. Women are subject to discrimination, especially in rural areas where traditional practices are stronger. They remain underrepresented in government and politics. Violence against women is quite common, although widely ignored by the authorities. The practice of female genital mutilation is on the rise again. The government has taken no action to stop this internationally condemned ritual.

Children are widely neglected in terms of education and care. Schools are in poor condition. The civil war left thousands of children orphaned, abandoned, and psychologically traumatized. Their welfare is left in the hands of humanitarian organizations, such as UNICEF. Although prohibited by law, child labor, including forced and bonded labor, is known to occur and is commonly ignored by the government.

The number of people with disabilities also increased as a result of the civil war. There are no laws mandating accessibility to public buildings or services for the disabled.

Although prohibited by law, discrimination based on religion exists, and the government supports it in public policies. Christians have better opportunities in employment and career advancement. Muslims allege discrimination in high-level government jobs. The constitution allows discrimination by stating that full citizenship is granted only to "Negroes or those of Negro descent." In this way, many people of Asian and Lebanese ancestry are denied full citizenship rights. As an ethnically diverse country, Liberia has always been a land of ethnic conflicts. Societal ethnic discrimination continues to be common. Political tensions and episodes of violence persist between rival ethnic groups.

The government restricts freedom of movement within the country; the police and the security forces have set up several checkpoints where travelers often are subject to extortion or arbitrary searches.

The government complies with the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 protocol in addressing refugee or asylum seeker status. In particular, it currently cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting the more than 120,000 Sierra Leoneans living along the western border of the country.

Although the government generally permits domestic and international human rights organization to operate freely in the country, there have been reports of harassment and threats by members of the security forces against human rights activists and non-government organization workers. The government has taken no action to convict the perpetrators. A human rights commission was created in 1997, but it is still inactive due to restrictions and impediments set by the government.

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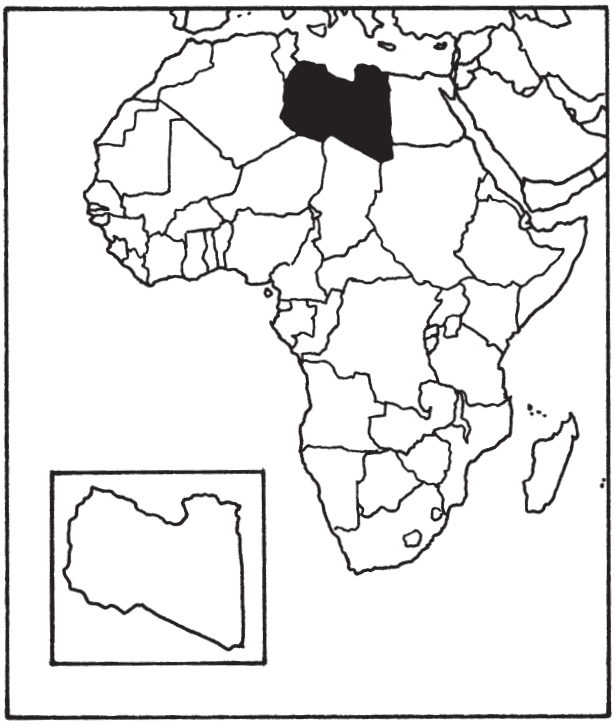
Libya



Libya is a country in Northern Africa, bordering the Mediterranean Sea, between Egypt and Tunisia. Tripoli is the capital city. Libya's population of approximately 5 million is primarily a mixture of Arabs and Berbers. Other ethnic groups include Greeks, Maltese, Italians, Egyptians, Pakistanis, Turks, Indians, and Tunisians. Arabic is the official language; however, Italian and English are widely understood in the major cities. About 97 percent of the population are Muslims.

BACKGROUND

Libya's official name is the Socialist People's Libyan Arab Jamahiriya. In theory, it is a state of the masses, governed through local councils. In reality, it is a military dictatorship that has been ruled by Colonel Muammar al-Qadhafi since September 1969.

A former Italian colony, Libya achieved independence in 1951 through United Nations (UN) negotiations. Libya was proclaimed a constitutional monarchy under King Idris I, who governed until he was overthrown by a military coup in September 1969. The Revolutionary Command Council (RCC) established the Libyan Arab Republic (LAR), and its leader, Colonel Qadhafi, emerged as the chief of state.

In its foreign policies, Libya has supported Arab and African revolutionary forces, the Palestinians' cause, and favored the elimination of external, particularly Western, influences in the Middle East and Africa. It also has tried to play an active role in various international organizations, including the UN.

The economy depends on oil revenues, which represent the principal source of foreign exchange. Widespread corruption, mismanagement, and massive investments in the military have caused high levels of inflation and increases in import prices, preventing economic expansion, much to the detriment of the general population. In addition, Libya has been subject to economic and diplomatic sanctions imposed by the UN Security Council following the bombings of Pan Am Flight 103 over Scotland in 1988 and UTA Flight 772 over Chad in 1989 (both of which have been blamed on Libyan-controlled terrorists). The Libyan government continues to violate the UN sanctions against air travel to and from the country and has engaged in an aggressive

campaign to gain international support for the elimination of all sanctions.

HUMAN RIGHTS

Human rights violations continue to be extensively reported. Citizens do not have the right to change their government. The political system rejects the principles of democracy, and Qadhafi exercises absolute power with the support of a pervasive security apparatus and powerful revolutionary committees. The government also controls the judiciary.

Since the late 1980s, Qadhafi has pursued a radical policy of eliminating potential opponents of the regime, particularly Islamic fundamentalists, in the country and abroad. This policy has led to violent clashes between Islamist activists and security forces in Benghazi.

The government has adopted tight security measures. Security forces use arbitrary arrests, detention, intimidation, abduction, and extrajudicial killings to control opposition activists or suspected sympathizers. Political dissidents in exile are targeted as well. Family ties with political dissidents can result in government harassment and detention. Entire communities can be punished for providing aid or not informing the regime about criminals and opponents of the government who are in their midst.

Political and economic crimes are punishable by the death penalty. Special revolutionary courts conduct trials in cases involving political dissidents. These trials are often held in secret or in the absence of the accused. Capital cases are tried unfairly.

Torture and other cruel, degrading treatments are reportedly used by security personnel during interrogation or as punishment. Prison conditions are believed to be very poor, although official information is unavailable and the government does not permit human rights monitors to visit its prisons. It is estimated that at least 1,000 political prisoners are detained and denied communication with anyone outside prison.

The government infringes on the citizens' right to privacy. Security forces routinely conduct searches without warrants. Purification Committees have the power to seize property from members of the middle and wealthy classes.

Freedoms of speech and the press are severely restricted. The government has a monopoly over all media. Any opinion critical of the regime is considered illegal. A few foreign publications are available, although they are subject to censorship. Academic freedom is limited as well.

Public gatherings must be authorized by the government. Associations or institutions not affiliated with the regime are prohibited, including independent trade unions and professional associations.

The government does not enforce constitutional provisions against discrimination toward women. Societal attitudes and practices still prevent women from attaining family or civil rights, although some progress toward equality has been achieved, especially in the area of education. Violence against women remains a problem, including domestic violence. Female genital mutilation is still practiced by nomadic tribes in remote areas.

Discrimination based on tribal status persists, especially against non-Arab minorities.

The government restricts freedom of religion. The Islamic Call Society is the organ of the state-approved religion and is the main tool for exporting the Libyan revolution

abroad. Other Islamic groups are banned. Some minority religions are tolerated, including Catholicism.

Movement within the country is restricted in those regions where anti-government attacks are more likely to occur. Citizens are required to have exit permits to leave the country. Women need their husband's authorization to travel abroad. The regime continues to encourage citizens, including students, who are abroad to return. They are routinely interrogated upon their return.

The government also uses threats of expulsion of foreign workers or residents as a tool against countries that oppose Libya's regime. On some occasions, the regime reportedly forced foreign workers into committing subversive actions against their own countries or coerced them into involuntary military service.

The government does not grant asylum, first asylum, or refugee status.

Qadhafi continues to deny the right of independent human rights organizations to form. International human rights groups are not permitted to visit Libya, and the government ignores their appeals on behalf of victims of human rights abuses.

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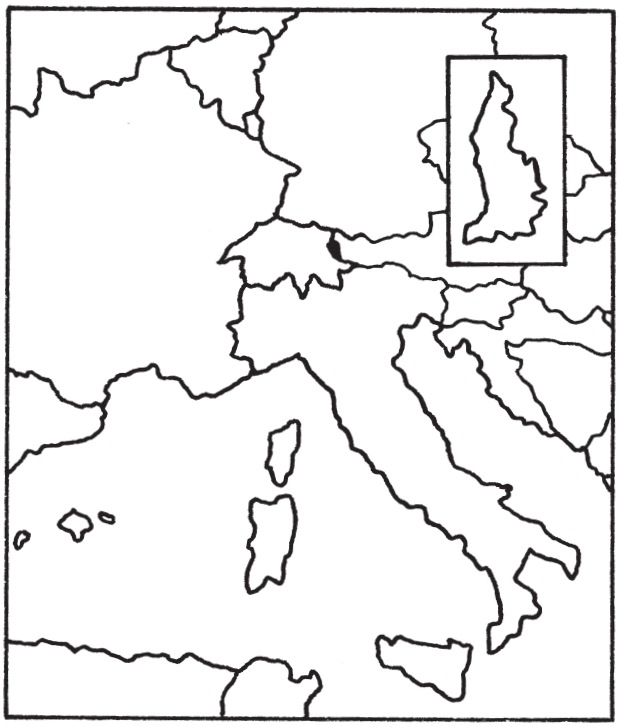
Liechtenstein



The Principality of Liechtenstein is located in western central Europe and is bounded on the east by Austria and on the west by Switzerland. Valduz is the capital. Liechtenstein's population of over 32,000 is composed primarily by Alemannics; other ethnic groups include Italians and Turks. The official language is German. Roman Catholicism (80 percent) and Protestantism (7.4 percent) represent the major religious denominations.

Since 1921, Liechtenstein has been a hereditary constitutional monarchy. The Parliament is elected every four years by universal suffrage. All new legislation must have the monarch's consent. In 1984, women received the right to vote in national elections. In 1990, Liechtenstein joined the United Nations.

Despite its small size and limited natural resources, Liechtenstein has achieved a highly developed industrial economy with a vital financial sector and a low unemployment rate. The citizens' standard of living is high. Since 1923, the country has participated in a customs union with Switzerland and uses the Swiss franc as its currency. As a member of the European Economy Area (EEA) since 1995, the government's economic policies have attempted to align with those of the European Union.

The government generally respects the human rights of its citizens, and the judiciary deals effectively with rare instances of abuse.

In recent years, there have been no reports of violations at any level of individual and public life, except those regarding societal discrimination against women and the disabled and domestic abuse. Women have been denied equal treatment and opportunity in economic life, although the government has been enacting new laws to improve their situation. The constitution does not explicitly address discrimination against people with disabilities, and buildings and governmental services are often inaccessible to them.

The government generally cooperates with the United Nations High Commissioner for Refugees, humanitarian organizations, and human rights groups.

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Lithuania

Lithuania is a country in eastern Europe, bordering the Baltic Sea, between Latvia and Russia. Vilnius is the capital city. The population of approximately 3.5 million includes Lithuanians (80.6 percent), Poles (7 percent), Belarusians (1.6 percent), and others (2.1 percent). Lithuanian is the official language, although Polish and Russian are spoken as well. The population is primarily Roman Catholic.

Lithuania is a parliamentary democracy. The country regained its independence in 1991, after more than fifty years of Soviet rule. The 1992 constitution provides for a unicameral legislature, a president as the head of state, and a government led by a prime minister and his cabinet. The judiciary is independent.

Since independence, Lithuania has been progressing from a centrally planned economy to a free market, and about 50 percent of the state property is now privatized. Agriculture employs the largest number of workers. Inflation rates remain high.

The citizens enjoy a variety of human rights. However, problems remain in a few areas. The police continue to commit human rights abuses and reportedly beat or mistreat some prisoners held in custody. There were also reports of human rights violations committed by non-commissioned military personnel. The Interior Minister took disciplinary actions and charged the perpetrators when allegations of abuse were made against government officers. Corruption is widespread among police officers, and the government is making practical efforts to contain the problem by improving wages and training. Prison infrastructure is poor, with overcrowding a major problem. Pretrial detention is also a problem.

Although the constitution provides for a defendant's right to legal counsel, in practice the shortage of trained attorneys and the increasing number of criminal cases prevent the judicial system from ensuring due process for all defendants.

President Adamkus has promoted the establishment of an international commission to investigate crimes against humanity that were perpetrated in Lithuania from 1939 to 1991. However, the commission continues to lack the funding necessary to proceed with its plans.

Conservative attitudes keep women in a subordinate role in society. They remain underrepresented in the managerial sector, in government, and in politics. Violence against women, including domestic vio-

Funeral for a reporter killed by government troops, August 1991.

lence, is a serious problem. Women are particularly targeted by organized crime. A number of women, some underage, reportedly have been forced or tricked into prostitution and sent abroad for purposes.

Child abuse is a problem as well. The press commonly reports cases of sexual abuse, mistreatment, child pornography, child prostitution for tourists, and murders committed by parents under the influence of alcohol.

People with disabilities are entitled by law to a broad category of rights and public benefits. However, many of these services are not readily available to them, including accessibility to public buildings. Discrimination and violence against religious or ethnic minorities are rare. Workers' rights are generally respected. However, the authorities do not effectively enforce safety regulations.

Citizens are not restricted in their rights to free movement within the country and to foreign travel. The government cooperates with the United Nations High Commissioner for Refugees in assisting refugee or asylum seekers. Illegal immigrants depart of their own accord or are repatriated with the financial assistance of international organizations.

Domestic and international human rights organizations operate freely. They are generally encouraged by the government to perform their investigations of alleged violations of human rights. However, the Ministry of the Interior has refused to release information on police brutality and other human rights abuses. On a positive note, the Department of International and Human Rights within the Ministry of Justice was established in 1994, and its function is to monitor human rights issues.

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Luxembourg

The Grand Duchy of Luxembourg is situated in western Europe and is bounded on the north and the west by Belgium, on the east by Germany, and on the south by France. Its population of about 430,000 is composed primarily of people of French and German descent. Other major groups have Italian and Portuguese origins. The official languages are Luxembourgian, French, and German. Ninety-seven percent of the population is Roman Catholic, while the remainder are Protestant or Jewish.

Luxembourg achieved independence in 1839. Since 1868, it has been a constitutional monarchy. The Grand Duke is the chief of state and has ceremonial and administrative duties. The prime minister is the leader of the party or coalition holding the majority of seats in the Chamber of Deputies. The Council of State serves as an advisory body to the Chamber of Deputies. The judiciary is independent. In 1948, Luxembourg, Belgium, and the Netherlands formed the BENELUX custom union. Since 1949, Luxembourg has been a member of NATO. It is also a member of the European Union (EU).

Luxembourg's economy is based on industrial and banking activities, which provide citizens with a high standard of living. Unemployment is 3 percent, the lowest in the EU. One-third of Luxembourg's labor force are foreign workers.

The constitution grants the Luxembourgers all basic human rights, and the government respects them in practice. As of 1998, there were no allegations of major human rights abuses. However, a few problems were reported.

Despite the fact that the constitution grants equal treatment, women were still receiving wages 9 to 25 percent lower than those of men for equal work. There was still great concern about the abuse of women and children. In 1997, 342 women and 363 children received assistance from women's shelters.

The law does not guarantee accessibility for the disabled. The great majority of buildings and public transportation are not accessible to people with disabilities.

In 1998, the police broke into the house of a journalist who published an article about a case of corruption in which the Interior Minister was involved. They tried to force him to reveal his sources of information. This incident brought attention to the

need for a reform of the Press Law, which has been in effect since 1869.

Luxembourg has always operated in cooperation with the United Nations High Commissioner for Refugees. In addition, the authorities have been very cooperative with human rights observers.

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Macedonia

Macedonia is a Balkan country bordered by Yugoslavia, Albania, Greece, and Bulgaria. The population of approximately 2 million is divided between Macedonians (65 percent) and Albanians (22 percent), with smaller groups, primarily Roma and Bulgarians, making up the remainder of the population. The capital of Macedonia is Skopje. Macedonia is a republic led by an elected president.

Macedonia has long been dominated by foreigners. Turkey ruled the area until 1912, when it was conquered by Serbia. Macedonia then became a part of the new Kingdom of Yugoslavia. In 1991, with the collapse of Yugoslavia, Macedonia declared its independence.

The new state has suffered a number of political problems. To begin with, Greece objected to the use of the name *Macedonia,* arguing that this name should solely apply to a region of northern Greece. This name controversy may have seemed trivial to outsiders, but Greeks took it very seriously and imposed an economic blockade on Macedonia during 1994 and 1995. Although relations have improved, Greek officials still insist on calling Macedonia the "Former Yugoslavia Republic of Macedonia."

Macedonia has also been adversely affected by the crises in next-door Yugoslavia and Albania. A significant percentage of Macedonia's population is ethnically Albanian, and many of those Albanians were sympathetic to the problems of their nearby ethnic cousins. The 1999 NATO bombing campaign in Kosovo, and the simultaneous ethnic purges carried out by the Yugoslavian army, also led to a large influx of ethnic Albanian refugees pouring across the Macedonian border.

HUMAN RIGHTS

The Macedonian government is moderate effective at defending its citizens' human rights. Elections are free and open, and it is possible for citizens to successfully change their government. There remain, however, significant problems.

The police have been accused of beating and abusing suspects and prisoners. Roma, sometimes also called Gypsies, have commonly been targeted as victims of this kind of abuse. Roma rights organizations accuse police of harassing Roma and of always favoring ethnic Macedonians in confrontations involving Roma and ethnic Macedonians. The police have also been accused of harassing ethnic Albanian refugees from Kosovo. Prison

conditions are fairly harsh, but they meet minimum international standards.

Ethnic discrimination remains a problem. Social discrimination against Roma, ethnic Albanians, ethnic Turks, and ethnic Serbs remains commonplace. There have also been a number of cases of ethnic Albanian Kosovar refugees harassing Roma, and some of these incidents required police intervention. Despite their making up more than one-fifth of the population, ethnic Albanians are underrepresented in the police and army officer corps.

The constitution protects freedoms of speech and the press both in law and in practice. The country has many independent newspapers. Some newspapers receive government subsidies or are partially government owned, and this has led to the suspicion, probably true, that their reporting is more favorable to government interests. But even these papers provide coverage of the activities of opposition political parties.

The government respects academic freedom, but higher education is only provided in Macedonian. Some ethnic Albanians believe that this is a human rights violation because it makes it more difficult for ethnic Albanians to receive a college education.

The government allows religious freedom. Religious groups are required to register with the government, but few limitations are put on them in practice. The government also allows people to travel freely in and outside of Macedonia.

The 1999 war in Kosovo left Macedonia with a huge refugee problem. An estimated 250,000 to 300,000 or more ethnic Albanians fled the fighting in Kosovo and moved into Macedonia. Macedonia, a relatively poor country, was heavily burdened by the expense of this influx. The arrival of large numbers of ethnic Albanians also heightened tensions between Macedonia's own ethnic Albanian minority and the Macedonian majority. The Macedonian government was accused of sometimes treating refugees with harshness, or of not providing sufficient facilities for refugees (it is believed that a small number of refugees died because of harsh conditions at border crossing areas). However, considering the scale of the crisis, the government's response met the requirements of human rights mandates. After the establishment of refugee camps, frictions continued between refugees and the Macedonian police. The end of fighting in Kosovo ended Macedonia's refugee problems. Most refugees had returned to Kosovo by the end of 1999.

Family violence against women is common. Wives rarely go to the police with complaints about violence. There is only limited legal recourse for women whose husbands rape them. Most Macedonians do not seem to view violence against women as a serious problem, although women's groups are active in trying to raise public awareness. Women do not have equal access to business or political employment. Women are paid less than men for the same work.

The government is committed to the welfare of children. Children are supposed to receive an education through at least age twelve. Discrimination against the disabled is illegal. The government, however, does not require all buildings to provide access to the disabled.

The Macedonian government allows local and international human rights organizations to operate freely in the country, and it is generally responsive to their complaints.

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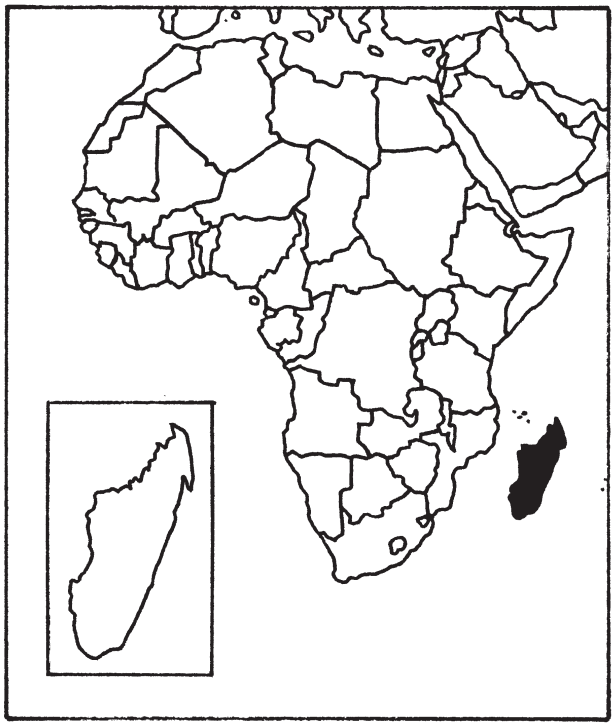
Madagascar



The Republic of Madagascar is an island in the Indian Ocean. It is located off southern Africa, east of Mozambique. Antananarivo is the capital city. Madagascar's population of approximately 14.8 million is predominantly of mixed Asian and African origins. There are also small groups of French, Comorans, Indians, Chinese, and Creoles. French and Malagasy are the two official languages. About 52 percent of the population hold indigenous beliefs, while 41 percent are Christians (Roman Catholic and Protestant) and 7 percent are Muslims.

BACKGROUND

French control over Madagascar was established in 1896. Madagascar achieved full independence from France on June 26, 1960. A period of political unrest and turmoil followed, concluding with the creation of a socialist-oriented constitution with a highly centralized government. Only limited political opposition was tolerated, and no direct criticism of the president was allowed in the press.

After 1990, an easing of political and economic restrictions led to a multiparty government and a free press in Madagascar. In August 1992, Malagasy voters approved a democratic constitution. Under the new constitution, the president is elected by direct universal suffrage for a five-year term and is responsible for defense and foreign policy. The National Assembly consists of 138 representatives elected by direct vote every four years. The prime minister executes legislation. The legal system is based on French civil law and traditional Malagasy law.

Madagascar actively participates in many international organizations, such as the UN, United Nations Educational, Scientific and Cultural Organization, and the United Nations High Commissioner for Refugees. It is also a member of the Organization of African Unity.

Agriculture, including fishing and forestry, are the mainstays of the economy, accounting for 34 percent of the national gross domestic product and determining more than 70 percent of export earnings. Historically, Madagascar's main export crops have been coffee, vanilla, rice, and cloves, but they have dropped in value since the late 1980s. Despite the considerable growth potential in the tourism, clothing, manufacturing, fishing, commercial agriculture, and mining sectors, the government has not shown any commitment to economic reform and still depends heavily on international financial aid.

HUMAN RIGHTS

The respect for human rights in Madagascar is poor. The new constitution provides for an autonomous judiciary; however, a lack of internal control and low salaries encourage corruption. A large backlog of cases remains. Trials are public and defendants have the right to an attorney.

Although the constitution provides for freedom of speech and freedom of the press, the government restricts these rights and journalists practice self-censorship. Authorities use torture to gain confessions and arbitrarily arrest and detain persons for up to four years. There is freedom of movement within the country, but fear of crime restricts travel to certain places.

Women experience physical abuse in prison, and prisoners are used as forced labor. Lengthy pretrial detention is a problem. The security forces' failure to provide adequate food and medical treatment in prison continues to cause a number of deaths. Children are often imprisoned with adults.

Women are discriminated against, both in government and politics. However, violence against women is not widespread. While in urban areas there is little discrimination against professional women, in rural areas it is an issue. Some non-governmental organizations (NGOs) deal with this problem and ensure that rights and legal protection for women are fully understood.

The government provides education for children up to the secondary level, but in practice the percentage of children attending primary school in urban areas is about 65 percent. In rural areas where children usually drop out to work on farms or as domestic laborers, the attendance rate is only 29 percent.

Eighteen distinct ethnic groups make up the Malagasy people, and often caste and origin are factors in hiring practices. Indo-Pakistanis have been widely targeted for discrimination. In past years, their shops have been looted during civil disturbances.

People with disabilities do not benefit from constitutional provisions mandating accessibility to public buildings.

There are various trade union federations and the government usually respects workers' rights. The International Labor Organization has identified some cases in which the government failed to apply labor law and regulations. The Labor Code forbids forced labor, but in practice there are cases of prisoners and detainees being used as personal servants or manual laborers.

Madagascar does not have a law protecting refugees' status. However, the government works closely with the United Nations High Commissioner for Refugees to provide asylum to the small number of refugees coming to the country.

Various human rights organizations are active and are not restricted by the government. Authorities are cooperative with international human rights groups and with domestic and international election observers. The constitution provides for an independent office to monitor human rights. This office publishes annual reports on its activities and campaigns.

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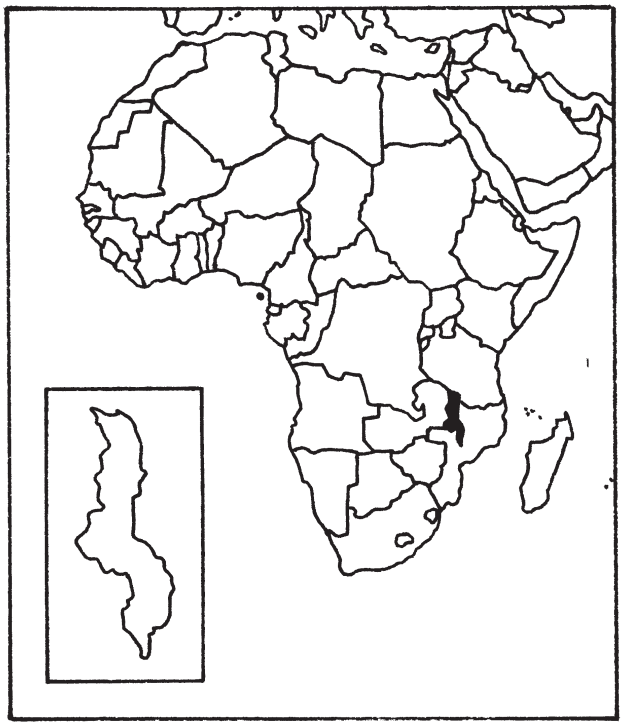
Malawi



The Republic of Malawi is located in southern Africa. It is bordered on the north by Tanzania, on the southeast by Mozambique, and on the west by Zambia. The capital city is Lilongwe. The population is estimated to be around 10 million, and is made up of a variety of ethnic groups, including Chewa, Nyanja, Tumbuko, Yao, Lomwe, Sena, Tonga, Ngoni, Ngonde, as well as some Asians and Europeans. Although English and Chichewa are the official languages, other languages are spoken regionally. About half (55 percent) of the population is Protestant, while the rest is Roman Catholic (20 percent), Muslim (20 percent), or practices traditional religious beliefs.

BACKGROUND

Malawi became independent from the United Kingdom on July 6, 1964, but it did not hold its first democratic multiparty elections until 1994, following thirty years of one-party rule. A new constitution was signed in 1995, in which the president is both the head of state and head of government. However, constitutional power is shared between the president and the 193–member National Assembly. The legal system is based on English common law and Malawi customary law. The judiciary is independent, but it is inefficient and lacks financial resources.

Malawi participates in many international organizations, including the United Nations and UNESCO.

Malawi is a very poor country. Annual per capita gross domestic product is estimated at $940. The economy is primarily agricultural, with 90 percent of the population living in rural areas. It is characterized by a small and concentrated industrial sector. Tobacco, tea, and sugar generate export revenues. The economy depends heavily on international financial assistance from the International Monetary Fund, the World Bank, and individual donor nations. There is little industry, and transport costs for goods are very high. Wealth remains in the hands of a small elite.

The government is currently trying to invest more resources in education and health facilities, as well as to deal with environmental and deforestation problems.

Poor villagers working in governmental food-for-work program. Men sign up for these programs, but women do most of the work.

HUMAN RIGHTS

The government usually respects the human rights of its citizens, but serious problems remain in some areas. The constitution protects its citizens from torture and inhumane treatment, but prison conditions remain very harsh and the use of police violence to force confessions is common.

The judiciary is independent and the government respects this in practice. However, due to the shortage of personnel, lack of funds, and a heavy backlog, the judicial system is seriously handicapped. Juvenile detainees have special rights under the constitution, but often they are imprisoned with adults.

The government generally respects freedom of speech and freedom of the press, even though periodically media representatives receive verbal and sometimes physical threats from government officials. Malawi has two state-owned pro-government radio stations and four private ones, but political parties and opposition groups are largely denied access to the broadcast media. The freedoms of assembly and association are recognized by the constitution. However, the police still sometimes prevent groups from holding open meetings.

Women are often discriminated against, even though they are protected constitutionally. Spousal abuse is common, and women from rural areas rarely complete their pri-

mary school education. Recently, however, Malawian society has begun to take women's issues seriously. Still, women face high maternal mortality rates, and HIV infection is a major problem.

The government provides free primary education for all children and invests a great amount of money in children's health and welfare. Despite this, infant mortality and poverty are high. Workers have a legal right to form and join trade unions, but because of a lack of awareness of worker's rights, there are few union members. Unions technically have the right to strike, but only after all dispute-settlement procedures established in a collective agreement and conciliation procedures have failed.

Malawi's government generally cooperates with the United Nations High Commissioner for Refugees. It has hosted more than 1,400 refugees, most of whom come from Somalia, the Democratic Republic of the Congo, and the Great Lake region. The government offers refugee status but not resettlement.

A number of local and international human rights organizations operate without government restrictions, and officials are usually cooperative. However, in 1998, Amnesty International expressed concern to the president about legislation limiting the Malawian ombudsman's activities.

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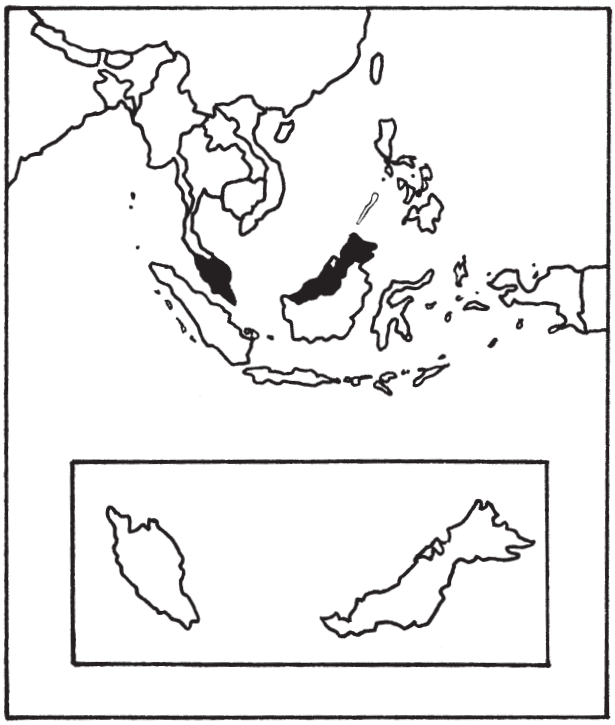
Malaysia



Malaysia is a country in Southeast Asia. The western part of the country is located on a peninsula south of Thailand. The other portion is located on the northern part of the island of Borneo in the South China Sea. The population of approximately 22 million includes Malays (47 percent), Chinese (26 percent), indigenous peoples (11 percent), Indians (7 percent), and others (9 percent). The official language is Bahasa Melayu, but English and Chinese dialects are also spoken, along with Tamil, Telugu, Malalalam, Panjabi, Thai, Iban, and Kadazan. Sunni Islam is the dominant faith, but Buddhism, Taoism, Hinduism, Christianity, Sikhism, and Shamanism are also practiced.

BACKGROUND

In the sixteenth century, Malacca was a very important regional port, attracting Chinese, Arab, Malay, and Indian merchants. In 1511, the Portuguese conquered the territory, beginning the European expansion in Southeast Asia. The Dutch followed, and finally, in 1826, the British settled in Malacca, Penang, and Singapore, forming the Colony of the Straits Settlements. The British control over the territory lasted until the Japanese invasion during World War II.

In 1948, the Federation of Malaysia was established, and in 1957, it started to negotiate its independence from British control under the leadership of Tunku Abdul Rahman, the first prime minister. The British colonies of Singapore, Sarawak, and Sabah joined the Federation to form Malaysia on September 16, 1963. Singapore withdrew and became independent on August 9, 1965. After World War II, Malaysia experienced a state of emergency due to the insurgency provoked by local Chinese communists.

Malaysia is a constitutional monarchy, power is shared by the paramount ruler (the king), who is elected for a five-year term from among the nine sultans of the peninsular Malaysian states, and a bicameral Parliament. The king is also the head of the Islamic faith in Malaysia. The prime minister holds the executive power. According to the constitution, the prime minister must be a member of the lower house of the Parliament. The bicameral Parliament is composed of the Senate (sixty-nine members elected for six-year terms) and the House

of Representatives (192 members elected for five-year terms). Federal and state legislatures share the legislative power. The Malaysian legal system is based on English common law.

Malaysia is a founding member of the Association of Southeast Asian Nations, and maintains close relationships with the United States, the European Union, and Japan. Malaysia is an active member of the Commonwealth, the United Nations (UN), many of the UN's specialized agencies, the World Bank, the International Monetary Fund, the Organization of Islamic Conference, and the Non-aligned Movement.

After a decade of economic growth (8.7 percent per year), Malaysia went through a period of economic crisis in 1997–1998. It is now recovering slowly. The per capita gross domestic product is approximately $10,300. Malaysia continues to seek funding from domestic and international sources to fight its budget deficit. Malaysia maintains important commercial relations with the United States. Two commodities dominate its economy: rubber and tin.

Malaysia has a parliamentary system that requires periodic multiparty elections. Opposition parties actively contest elections but face official obstacles during election campaigns. According to the constitution, the judiciary is independent, but its impartiality continues to be questioned.

HUMAN RIGHTS

Human rights in Malaysia are weakly protected. The police regularly commit serious human rights abuses and extrajudicial killings. Some human rights activists have accused the police of abusive behavior, but the government has dismissed these statements as grossly unfair. Members of the police routinely torture detainees during interrogation and imprisonment. Furthermore, police often break up many peaceful demonstrations in support of political reform, making hundreds of arrests in the process.

Prison conditions are poor and overcrowding is a serious problem. Prison guards have been accused and convicted of various crimes. Inadequate food and health conditions have caused the deaths of many imprisoned illegal aliens.

The judiciary is ineffective due to crowded, understaffed courts. Consequently, pretrial detentions are usually very long. In addition, the government continues to use long-term detention in cases involving national security, as well as in narcotics trafficking and other cases. Some trials are not fairly conducted.

Immigration laws are used to imprison illegal aliens without trial or hearing. They are released only after their employer has verified their legal status.

There are laws against arbitrary interference with privacy, family, home, or correspondence. However, the police are still allowed to conduct home and office searches, to monitor conversations, and to take people into custody without a warrant.

Although the constitution provides for freedom of speech and freedom of the press, there are increasing limitations on these rights. Mass media are usually uncritical of the government and give limited coverage to political opponents and rivals. Newspapers tend to reflect government positions on domestic and international issues. The government often expresses its dissatisfaction with press coverage directly to the newspaper's board of directors. In addition, leading political figures own most newspapers and TV and radio stations. The foreign press is also harshly criticized for biased reporting—in the eyes of the Malaysian gov-

ernment, any reporting critical of the government is considered biased reporting. The government censors films and books containing sex, nudity, or certain political or religious content, particularly content that is insulting to Islam.

The government generally respects academic freedom, even though career advancement requires the government's approval. The government prohibits students from engaging in some political activities.

There are many restrictions of the right to peaceably assemble. The police rarely grant permits to government critics but easily issue permits to supporters of the government and the ruling coalition. Also the right to freely associate is limited.

Freedom of religion is protected in the constitution, but it is not respected in practice. The official religion is Sunni Islam, and adherence to it is considered intrinsic to Malay ethnic identity. Islamic religious law influences state law.

In principle, citizens are free to travel and move freely within the country, but the government restricts this right by sometimes asking citizens to present passports or identity cards.

Malaysia has not ratified the 1957 United Nations Convention Relating to the Status of Refugees and often does not allow United Nations High Commisser for Refugees and other humanitarian organizations to communicate with detained aliens. The government has not allowed Amnesty International to set up an office in Malaysia.

Cultural traditions lead to social discrimination against women. Women are underrepresented in government and politics. Reports of rape and domestic violence are common in the press, but a lack of sympathy from the police leads many victims to not report abuses. Malaysia is also a place where trafficking in women for sexual exploitation is common. The government tries to assist women who are victimized in this way, but there is no consistent reaction to these crimes on the part of the police. Many police do little or nothing to stop prostitution in Malaysia. Women are often victims of legal discrimination, and child abuse and prostitution are also serious problems.

Although workers' rights are usually respected, there are some restrictions, including the right to strike. Moreover, child labor is common in certain parts of the country.

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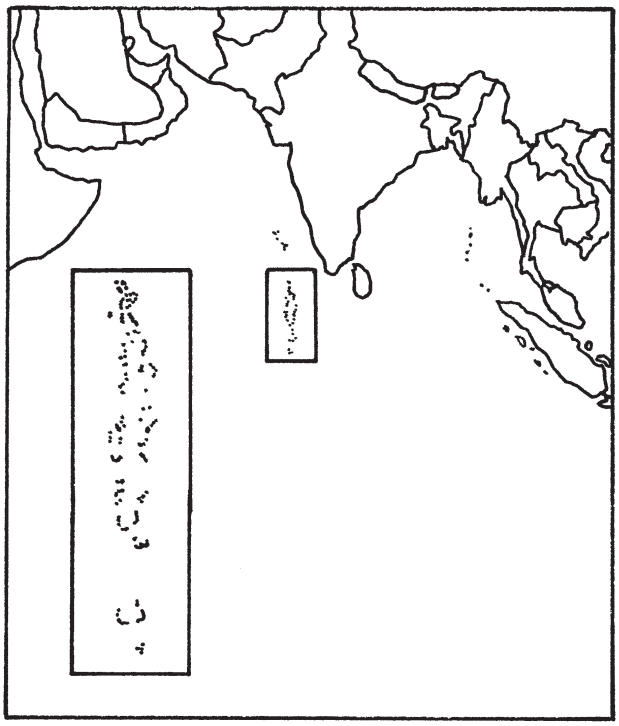
Maldives



The Republic of Maldives is a group of about 1,200 islands situated in the northern Indian Ocean, about 400 miles southwest of Sri Lanka. Malé is the capital city. The Maldives' population of approximately 300,000 includes Dravidians, Sinhalese, and Arabs. The official language is Dhivehi; however, English is widely spoken as well. Islam is the state religion, with the majority of the population being Sunni Muslim.

The Maldives was a sultanate and a British protectorate until July 26, 1965. The sultanate ended on November 11, 1968 when the Republic of Maldives was proclaimed. On November 8, 1988, Sri Lankan Tamil mercenaries attempted a coup aimed at overthrowing the government. President Gayoom requested the Indian army's intervention, which succeeded in suppressing the coup in twenty-five hours.

The president and the cabinet hold executive power; the president appoints the cabinet and one-sixth of the Parliament. The unicameral Parliament (the Majlis) is vested with legislative power. The judicial branch is represented by the High Court. There are no formal political parties in the Maldives.

Tourism is the dominant economical activity in the Republic of Maldives. The taxes collected on the tourism industry are used to develop manufacturing and agriculture. Fishing and agriculture employ about 25 percent of the total labor force. Industry, which accounts for about 6 percent of the labor force, is mainly focused on boatbuilding, handicrafts, and garment production.

Although the constitution provides for all basic human rights, the government has committed violations in several areas.

Maldivians' ability to change their government is limited by the law. In fact, the law provides for only one presidential candidate to be chosen by the Majlis. In addition, the president and the elected members of the Majlis must be Muslim.

Flogging is still allowed by the Islamic law, and it continues to occur. The law expressly forbids arbitrary arrest and detention. However, the police have arbitrarily arrested, detained, and expelled foreigners for evangelizing Christianity. In addition, the authorities detained some citizens suspected of having converted to Christianity. The law does not provide for legal counseling during police interrogation. The law grants no bail.

The constitution does not provide for an independent judiciary. The courts are subject to the executive's pressure. The president has the power to appoint and dismiss judges at his discretion. The judiciary interpretation of the law must conform to Islamic law.

The law expressly forbids the media from making statements that are against the Islamic tradition. The activity of journalists is monitored by the Press Council, which is made up of state officials, lawyers, and government and private media representatives. The government still controls the only television station and radio stations. However, there is no interference with foreign broadcasts by satellite, which are shown uncensored. In addition, cable television and the Internet are also available. Newspapers and magazines operate freely and are allowed to criticize governmental policies.

Islam is designated as the official religion of the Maldives, and all citizens are required to be Muslim. The law expressly forbids any other religion, but foreign residents are allowed to practice their own religions privately.

The government generally does not restrict movement within the country. However, foreign workers are not allowed to mix with the general population and are confined to their work places.

There is extensive discrimination against women. A woman cannot become president, but women can hold governmental posts. However, very few women pursue political careers. In recent years, the government has launched a campaign to promote women's rights in the islands. Traditionally, Islamic law and education have discriminated against women. Nevertheless, the number of women participating in public life is growing as a result of government encouragement. Most women go no further than the seventh grade in their education.

There are no special provisions addressing children's welfare. There are no specific laws for the disabled; however, the government has established a program that provides services to the disabled.

Workers' unions in the Republic of Maldives are non-existent, although the law does not prohibit unions from forming.

There are no local human rights associations in the Maldives. However, the government has permitted visits by international human rights organizations.

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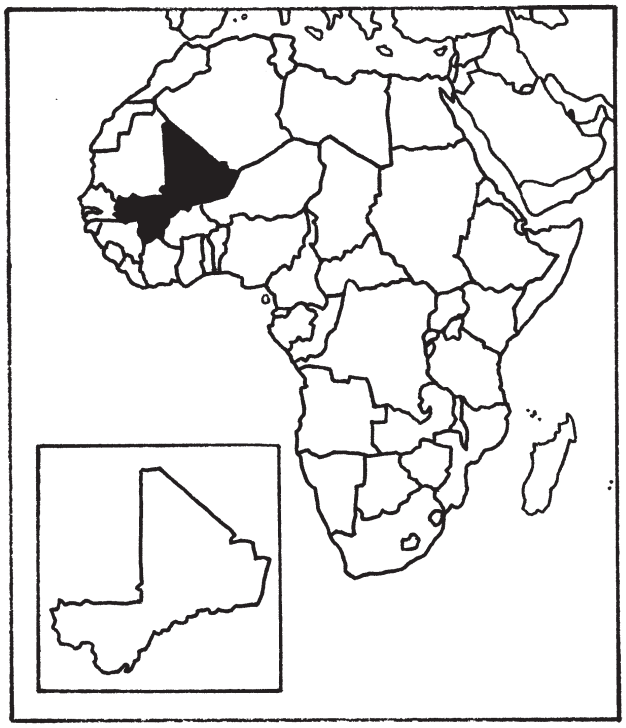
Mali



The Republic of Mali is located in northwestern Africa, bounded on the northeast by Algeria, the east by Niger, the southeast by Burkina-Faso, the south by Ivory Coast, the southwest by Senegal and Guinea, and the west and north by Mauritania. Bamako is the capital city. The population of approximately 10 million includes Mandes (about 50 percent), Peul (about 17 percent), Voltaics (about 12 percent), and Tuaregs and Moors (about 5 percent). Although French is the official language, a local language, Bambara, is widely spoken as well. About 90 percent of the population is Muslim, while the remainder is Christian or practices traditional beliefs.

BACKGROUND

A French colony, Mali achieved independence on September 22, 1960, becoming a socialist republic led by a single political party. The next decades were characterized by coups and military control of the government. On March 26, 1991, a group of officers succeeded in transferring the government to civilians. On January 12, 1992, a new constitution was put in effect after it was approved by a national referendum. Between January and April 1992, free multiparty elections were held. On June 8, 1992, the first president of the republic, Alpha Oumar Konare, was elected.

Mali is now a democratic republic. The executive branch consists of the prime minister, who is appointed by the president of the republic, and the Council of Ministers. The National Assembly makes up the legislative power. Parliamentary and presidential elections are held every five years. The Supreme Court makes up the judiciary.

Mali is a poor country with a market-based economy. The majority of the workforce is employed in the agricultural sector, especially in farming and animal husbandry. Mali's main export commodities are cotton, livestock, and gold. The industrial sector is very small and is based on the manufacture of textiles, beverages, and processed food products. Per capita gross domestic product is approximately $251, resulting in an exceedingly low standard of living.

Young Malian boy applying mortar to building under construction.

HUMAN RIGHTS

The constitution provides for all basic human rights, and the government generally respects those rights in practice. However, a few violations of human rights are still reported annually.

A recent report released by Amnesty International cites allegations of abuses committed by members of the security forces, who tortured detainees in order to obtain confessions. In addition, prison conditions are still reported to be very poor. There have been reports of juveniles sharing the same cells with adults. The Malian Association of Human Rights, the Malian Association of Women Jurists, the International Committee of the Red Cross, and other non-governmental organizations continue to visit prisoners and are working to improve detention facilities.

The law provides for a period of forty-eight hours in which a suspect has to be charged with a crime. However, there are many reports of suspects being detained for several years. Pretrial detention is a problem. In addition, it is difficult to obtain bail. The constitution provides for the independence of the judiciary, but in practice the courts are subject to executive influence. The Ministry of Justice has the power to nominate and dismiss judges.

Freedoms of peaceful assembly and association are granted by the constitution, although it is necessary to obtain government permission for public meetings. Occasionally the authorities deny permission to opposition parties to hold public rallies.

The government cooperates with the United Nations High Commissioner for Refugees and other humanitarian organi-

zations. The law provides first asylum for refugees.

Although the constitution prohibits discrimination based on sex, race, and religion, men continue to play a dominant role in Mali's society. Spousal abuse is quite common but is often unreported for cultural and social reasons. In addition, women's access to jobs, government, and education is still limited. Female genital mutilation is still practiced. Recent statistics show that 93.7 percent of women were victims of this practice. Women represent 15 percent of the workforce, mostly in rural areas, and often labor under extremely harsh conditions. There are several local groups operating to improve women's lives. The same groups are committed to children's rights.

The condition of children is still poor. Approximately 50 percent of children do not complete their primary education because of a shortage of personnel and infrastructure, especially in rural areas.

The law does not protect people with disabilities. Although there is no formal discrimination against the disabled, the high rate of unemployment makes it almost impossible for them to find jobs.

Independent human rights organizations, including the Malian Association for Human Rights, a smaller Malian League of Human Rights, and a local chapter of Amnesty International operate freely and without interference throughout the country.

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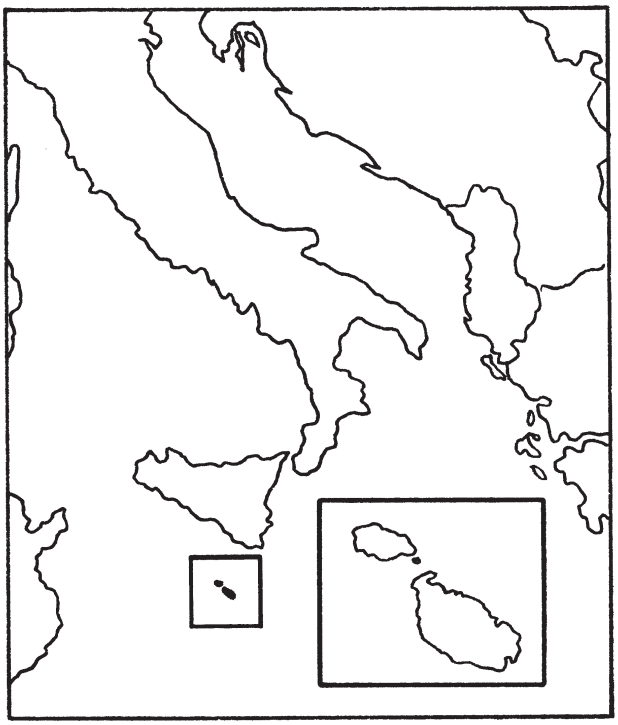
Malta



The Republic of Malta is situated in the Mediterranean Sea, south of Sicily, east of Tunisia, and north of Libya. Valletta is the capital city. Malta's population is approximately 380,000. Maltese and English are the official languages. The major religious denomination is Roman Catholic (98 percent).

Malta became part of the British Empire in 1814. Malta was an important fortress and naval base for the British, especially during World War II. On September 21, 1964, the island became an independent republic. The constitution was issued in 1964 and revised in 1974.

Malta is a constitutional republic. The president of the republic is the head of state. He appoints the prime minister, who is the head of government. The unicameral Parliament represents the legislative power. Presidential and parliamentary elections are held every five years. The judiciary is independent.

The economy of the Republic of Malta is a mixture of private and government enterprises. Tourism and light manufacturing are the most prominent sectors of the economy. Malta is in the ranks of the less-affluent European countries.

The constitution provides for all basic human rights, and the government respects those provisions in practice. Freedoms of speech and the press are widely respected in Malta. Several independent newspapers express different political views.

The government cooperates with the United Nations High Commissioner for Refugees. The government grants first asylum and asylum status for political reasons. However, neither permanent status, nor asylum are granted to those who file for asylum for economic reasons.

Women are still underrepresented in Malta's political life. Violence against women, especially domestic violence, remains a problem. A special police unit and several volunteer organizations support battered women. The government also provides for shelters and a national fund for women in distress. The government is committed to children's rights and welfare. It provides free and compulsory universal educaiton and health care for children through the age of sixteen.

The law protects the rights of the disabled, and the government is attempting to

enforce those rights and to enhance the status of the disabled.

The government cooperates with all the local and international human rights organizations.

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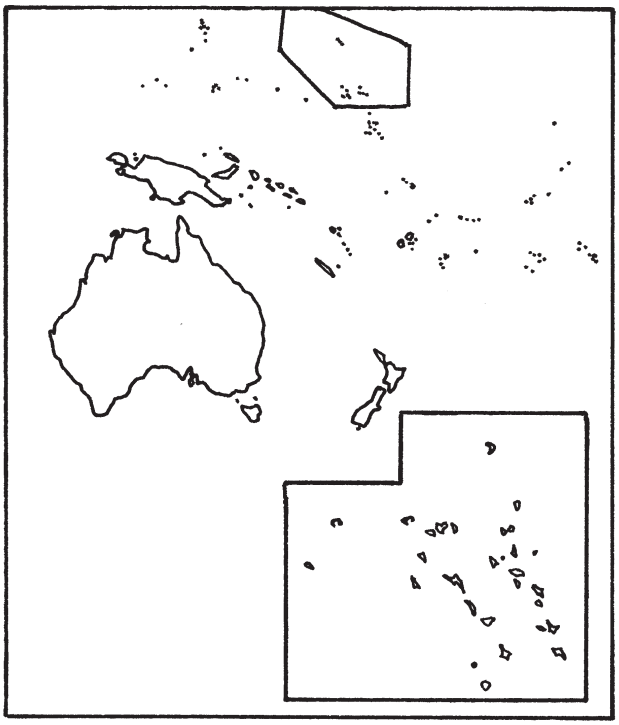
Marshall Islands



The Republic of the Marshall Islands is a group of about 1,100 islands scattered in the western Pacific. Majuro is the capital city. The population of approximately 65,000 is composed almost entirely of Marshallese (about 90 percent). Americans, Filipinos, Chinese, New Zealanders, and Koreans make up the remaining 10 percent. The official language is English, but two local dialects are widely spoken. The major religious denomination is Protestant.

Under U.S. administration since 1947, the Republic of the Marshall Islands became independent on May 1, 1979, and on the same day the constitution was put into effect. The republic is a parliamentary democracy. The president and the cabinet represent the executive power. The unicameral Nitijela and the advisory Council of Iroij (traditional leaders) hold the legislative power. The Supreme Court represents the judiciary. There are no formal political parties. Presidential and parliamentary elections are held every four years.

The United States provides $65 million in foreign aid every year, about 70 percent of the gross domestic product. Banking, insurance, restaurants, and tourism are the major activities in the urban areas, while in the smaller islands production of copra (used in making coconut oil) and handicrafts, agriculture, and fishing are prevalent.

The constitution grants all fundamental human rights, and the government respects these provisions in practice. However, human rights abuses are still reported in a few areas.

Arbitrary arrest and detention by the police occur. Although the constitution mandates for an independent judiciary, in practice the government tries to influence the courts in many ways.

The government occasionally attempts to influence the media, and journalists practice self-censorship in reports on political and cultural issues.

There are no regulations concerning refugees, asylum, and asylum status.

Spousal abuse is widespread. The authorities provide counseling for spousal and

child abuse; however, the majority of cases go unreported. The government supports children's welfare, providing health care and free education, but an estimated 20 percent of children do not attend school regularly.

The government allows the formation of local human rights organizations and visits by international organizations. However, no local organizations have been formed and no international organizations have expressed interest in visiting the Republic of the Marshall Islands.

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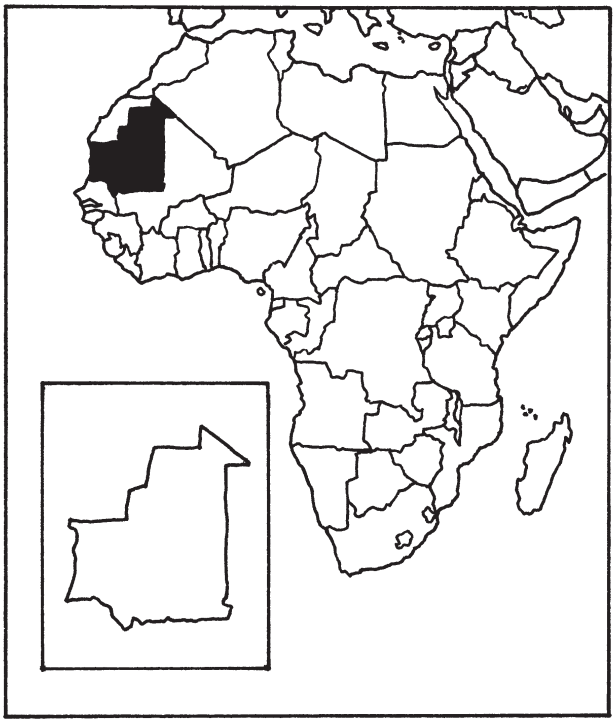
Mauritania



The Islamic Republic of Mauritania is located in northwestern Africa and shares borders with Senegal to the south, Mali to the east, Algeria to the north, and the Atlantic Ocean and Western Sahara to the west. Its capital is Nouakchott, on the Atlantic coast.

Its population of approximately 2.5 million people is almost exclusively Muslim. Within this population are three distinct groups: the *beydane*, a ruling class of Arab-Berber ancestry; *haratines,* black escaped slaves or descendants of escaped slaves who have retained their former masters' Arab identity; black slaves; and never-enslaved Africans. The never-enslaved group consists of several distinct tribes, including the Hal Pulaar, which is the largest of these groups, as well as the Soninke, Wolof, and Bambara. Though the *beydane*-run government claims that Arab-Berbers constitute 70 percent of the population, many blacks contend that, including haratines, black groups represent two-thirds of the population. Because of the government's refusal to release the results of a 1988 census, these statistics remain a matter of debate.

BACKGROUND

In 1960, Mauritania achieved independence from France, its colonial ruler since 1920. The government today consists of the president, the executive branch, the legislative branch (the Senate and the National Assembly), and the judicial branch (the Supreme Court). Political parties were legalized by the constitution, which was passed on July 12, 1991, and suffrage is universal at the age of eighteen. The legal system is based on *shari'ah,* or Islamic religious law, and the national holiday is Independence Day on November 28.

Mauritania forms a geographical bridge between Arab North Africa and black sub-Saharan Africa; the north is mainly Arab and nomadic, while the south is primarily settled and black. This ethnic distribution is largely the result of the Arab-Berber (*beydane*) conquest in the fourteenth century.

During their conquests, the *beydane* Arab-Berbers captured many blacks and used them as slaves. Prior to the fourteenth century, only blacks inhabited the land area that is now Mauritania. As they invaded from the north, the Arab-Berbers pushed the local blacks further south, capturing tens of thousands as slaves along the way. This began a long tradition of

A young boy with his camel. Much of the Mauritanian population is nomadic.

black enslavement by the *beydane,* a tradition that continued into modern times and persists even today.

HUMAN RIGHTS

The most critical human rights problem in Mauritania is the continued existence of a form of slavery.

Although the present-day form of black chattel slavery in Mauritania is more camouflaged than in the past, it has remained similar in both form and function. The U.S. State Department estimated in 1980 that more than 90,000 blacks were the property of *beydanes,* while 300,000 blacks, because of either psychological or economic dependence, continued to serve their Arab masters. Today, slavery is much less prevalent, but still occurs in some parts of Mauritania.

Slavery in Mauritania currently functions in two ways. First, there are the outright slaves, whose numbers are unknown but are believed to number at least in the thousands, who live as the property of their Arab-Berber masters. Second, there are "slaves in practice." These are black Africans who work for Arab-Berber masters for free, either because they know no other life or else because they fear for their economic well-being if left on their own. These dependent black Africans are not technically slaves, but psychological coercion, government apathy, and lack of economic opportunity all conspire to create a class of people who are afraid to leave their "masters."

Mauritanian chattel slavery is deeply ingrained in the culture. With a history that stretches back 700 years, slavery there was found in virtually every *beydane* family and at every economic level. Because it was considered shameful to perform any sort of physical labor, many Arabs actually gave slaves as charity, so it was common for even beggars to own slaves. Slavery thus became an integral part of Mauritanian culture.

Slavery and the brutal practices that accompany it persist, despite its abolition by the colonial French government (which was then the administrative power in Mauritania) in 1905 and by the Mauritanian government in 1961 and 1980. Unfortunately, these legal measures have not been enforced with practical educative or economic measures to inform slaves, and the larger group of pseudoslaves, of their legal status or to help them support themselves financially. Additionally, the legal system is not always supportive of anti-slavery laws.

The *beydanes* have also dominated and oppressed Mauritania's free black population, which includes the *haratines* and black ethnic groups of Hal Pulaar, Soninke, Wolof, and Bambara. Following Maurita-

nia's declaration of independence from France, the *beydanes* were left holding the reins of government and quickly began to Arabize the country—this despite the fact that most educated Mauritanians were both black and French-speaking. Because the *beydanes* saw French language and culture as an affront to Islam's cultural and religious heritage, they discouraged the teaching of French in schools in favor of Arabic. This was done through a variety of measures, including mandating in 1966 that students learn Arabic in school, as well as removing French teachers to non-teaching bureaucratic posts in the Ministry of Education or transferring them to distant, mainly Arab-speaking, regions.

The Mauritanian government also began to distance the country from French influence by asking Arab countries, such as Iraq, Egypt, and Kuwait, to provide financial support. Mauritania was one of the first of the French-speaking African countries to review the cooperation agreements signed with France at independence. Additionally, it joined the Arab League in 1973 and began sending students, generally *beydanes,* for education and training in Arab countries.

Arabization has been accompanied by a concerted government campaign against Mauritania's black citizens. Forcible expulsions and land expropriations from black Africans were practiced by the Mauritanian government, reaching their height in the early 1990s. This campaign against blacks arose out of a 1989 conflict between Mauritania and Senegal that brought the two nations to the brink of war. The tension between the two countries resulted in an explosion of ethnic violence, with tens of thousands of black Mauritanians being expelled to Senegal. Part of the reason for the expulsions was the equating, in *beydane* eyes, of black Mauritanians with the black Senegalese involved in the dispute. Because of their viewpoint, the *beydane* saw retaliation against its own black ethnic populations as equivalent to retaliation against black Senegalese. The *beydanes* also often seized the property of the black Mauritanians they expelled, much of which was valuable fertile land in the Senegal River Valley. Tensions between the *beydane* and black ethnic groups were heightened after an alleged coup attempt by black army officers in October 1987. In 1990–1991, the government arrested 3,000 of its black citizens in connection with the coup, torturing to death or executing over 500 political prisoners.

Black activist groups have spoken out about the ongoing human rights violations in Mauritania. The government has conducted waves of mass arrests in an effort to silence these activists, particularly during the second half of the 1980s and the early 1990s. It has also outlawed El Hor (the Free), a major pressure group formed by *heratines* in the 1970s to advance the interests of blacks in Mauritania.

The international response to Mauritanian human rights violations has been minimal. Mauritania's obscurity on the international scene has significantly limited the amount of international publicity given to human rights violations there. The 1989 conflict between Mauritania and Senegal drew international attention in the form of mediation efforts by the Organization of African Unity and the European Union. The 1991 arrests and executions of thousands of blacks also attracted some international attention. The United States ended all bilateral aid to Mauritania in 1991, while the Bush administration issued a strong public condemnation of violations there. U.S. aid was, however, reinstated in the post–Gulf War period following Mauritania's involvement in the Middle East peace

process and its reversal of its previous support of Saddam Hussein. This reinstatement of aid was followed by a U.S. State Department representative's assertion that in 1996, slavery in Mauritania was only minimal. In addition, France, which wields more influence in Mauritania than any other Western country, the European Union, and the World Bank—all major donors—have all been reluctant to condemn human rights violations in Mauritania.

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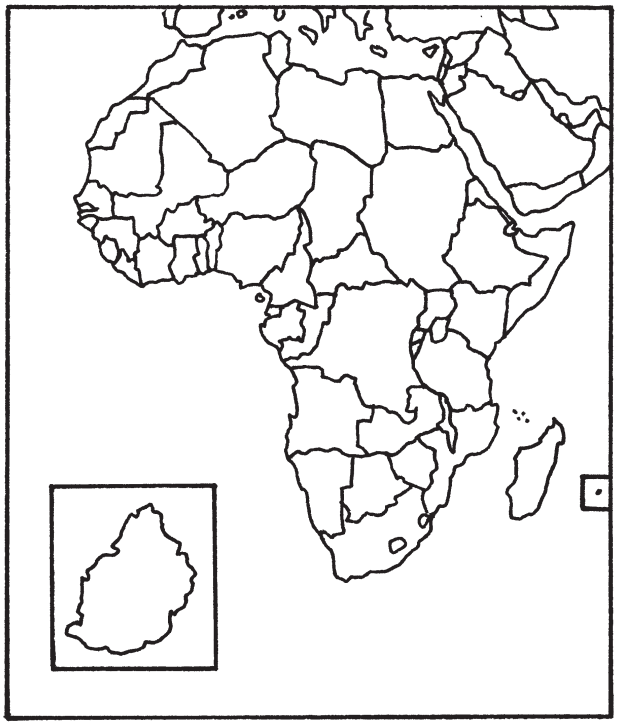
Mauritius



The Republic of Mauritius is situated in the Indian Ocean, east of Madagascar. Port Luis is the capital city. Indo-Mauritians (68 percent), Creoles (27 percent), Sino-Mauritians (3 percent), and Franco-Mauritians (2 percent) comprise the population of approximately 1 million. The official language is English, but French and Creole are widely spoken as well. The major religions are Hinduism, Roman Catholic, and Islam.

A British colony, Mauritius gained its independence on March 12, 1968. The Republic of Mauritius is a constitutional democracy. The president and the Council of Ministers represent the executive power. The president, as the head of state, appoints the prime minister, and the National Assembly, is the legislative body. The judiciary is independent.

The economy of Mauritius is mainly based on tourism, sugar plantations, and textiles. This economy allows a quite high standard of living to the residents of the republic. The government has recently promoted development in the areas of information technology and financial services.

The constitution grants all the basic human rights, and the government respects most of these provisions in practice. However, the security forces continue to commit some human right abuses. Police officers are allegedly responsible for the excessive use of force during interrogations. In addition, they occasionally deny access to legal counseling to defendants. However, the National Assembly has recently passed a Human Rights Act and has established a Human Rights Commission, which is investigating police abuse and prison conditions.

Freedoms of speech and the press are respected in Mauritius; more than a dozen newspapers operate freely in the country. News broadcasting stations are government-controlled, but recently a private station began broadcasting in the Internet.

Spousal abuse is widespread in Mauritius, but the judiciary punishes these crimes very severely, and has been given greater power to do so by the National Assembly in recent years. The government is very committed to children's welfare and health. The National Assembly has recently passed the Protection of the Child Act, which considers it a crime to commit any violation of children's rights.

The law grants workers the right to form unions, and there are many small unions representing over 125,000 workers.

The government allows visits by international human rights organizations, a number of which are operating actively in the country without restriction.

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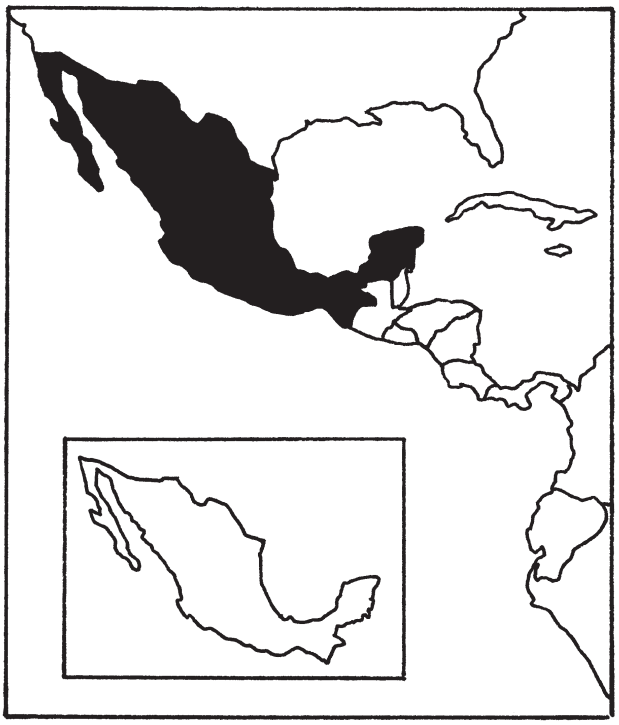
Mexico



Mexico is located in North America, bordered on the north by the United States and on the south by Belize and Guatemala. The population is approximately 100 million, made up of a mix of Amerindians (Indians), whites, and Mestizos (those with mixed ancestry). Statistics vary regarding Mexico's ethnic composition, depending upon the surveying organization, partly because many people are defined differently depending on who is taking the survey, but Mestizos make up about 60 percent of the population, Amerindians about 30 percent, and whites about 10 percent. The capital is Mexico City. Spanish is the main language, although Mayan dialects are also spoken. The government is a federal republic.

BACKGROUND

Mexico was conquered by the Spanish in the early sixteenth century. It gained its independence in 1821, and established itself as a republic in 1823. Mexico's government over the next century was dominated by military strong men and racked by constant revolt and internal turmoil.

In 1929, the Institutional Revolutionary Party (PRI) took power and remained the dominant force in Mexican politics until 2000. The PRI was an umbrella organization with a theoretically socialist approach to politics. In practice, the PRI increasingly operated as a corrupt party machine existing primarily to benefit its members. The party controlled the media, the unions, and the educational system. Political opposition was overwhelmed by the PRI's campaign machine; if it seemed possible that the opposition might win, the PRI rigged election results. The PRI maintained the appearance of democracy by allowing some opposition parties to gain a few seats in Congress, but kept its "perfect dictatorship" in power by maintaining its own overwhelming majorities.

The PRI's dominance began to fall apart in the late 1990s. Internal unrest, particularly among the Amerindians of the province of Chiapas, and growing opposition among Mexico's middle-class professionals led to the rise of opposition parties. The two most successful of these were the Democratic Revolutionary Party (PRD) and the National Action Party (PAN).

On July 2, 2000, the PRI finally lost its stranglehold on government with the victo-

ry of Vicente Fox in the national presidential election. The election of Fox, the leader of PAN, is likely to inaugurate a new era in Mexican politics.

HUMAN RIGHTS

The Mexican government does a fair job of protecting human rights. While the government is not overly abusive of its citizens, problems remain.

The most significant gain in Mexican human rights was the election of Vincente Fox as president. For the first time in seventy years, Mexico appears to have developed a functioning democracy. The PRI's long dominance over Mexican politics, which made Mexican democracy a sham, seems to have ended.

The Mexican judiciary has problems with corruption. While judges are theoretically independent, in practice they often bow to pressures by political bosses. There is also extensive corruption in Mexico's northern states as a result of the flow of drugs from Mexico into the United States. Drug lords buy the loyalty of judges, politicians, and police officials. Despite these problems, many judges remain honest and the right to a fair trial is usually respected.

The military and police in Mexico are prone to violating the human rights of Mexican citizens. The ongoing insurgency of Amerindian guerrillas in southern Mexico has led some police and military units to use extrajudicial methods in their attempts to suppress the rebels. Extrajudicial killings occur occasionally, and military units have been accused of attacking peasant villages that they suspect are sympathetic to the Amerindian guerrillas. Some of those encouraging these attacks include officials high in the government, including state governors.

UN officials and human rights advocates have strongly criticized the excessive use of force by the military in their struggles against Amerindian guerrillas. Methods used by the military include torture, assassinations, and massacres. The government seems to have made some limited efforts to eliminate this kind of activity.

In general, Mexico's police are prone to using violence in the apprehension and interrogation of suspects. The use of torture by police is also common. Although torture is illegal, judges still allow evidence obtained by torture to be used in trials, thereby encouraging the police to continue to torture suspects during interrogations. Sometimes prisoners die in custody under suspicious circumstances.

Violence connected to the drug trade is a serious problem, particularly in northern Mexico. Rival drug gangs fight for control of the drug traffic, and sometimes use corrupt police and officials in their attempts to eliminate their rivals. Civilians who resist the drug traffickers often are killed, and officials who have been sent to fight against the drug traffic have been assassinated.

Another serious human rights problem is the smuggling of human beings across the Mexico-United States border. Mexicans, eager to enter the United States and find better-paying jobs, pay gangs of smugglers to help them across the border. These smugglers, sometimes called coyotes, charge extortionate amounts and then sometimes leave their clients stranded in the desert. Many people have died trying to get into the United States.

Many of Mexico's human rights problems stemmed from the PRI's long tenure in office and the corruption which naturally resulted. Other problems, however, are the result of inherent Mexican difficulties, such as widespread poverty, the vast disparity

between rich and poor, and the ongoing drug trade. As much as Vincente Fox's government provides a welcome move toward greater respect for human rights, these problems will not disappear quickly.

Mexican prisons do not meet international standards. Prisons are staffed by underpaid guards who accept bribes to give favored prisoners privileges and who ignore the needs of poor prisoners. Prisons are overcrowded; some cells designed to hold two prisoners actually hold eight. Prisoners are not given enough food and must supplement their rations with food brought by family members. Drug use in prison is common, with most of the drugs being smuggled in by prison guards. Female inmates are often the target of sexual assaults by guards.

The government generally protects the rights of free speech and freedom of the press. Newspapers opposing the government operate freely and can be fierce critics of government corruption. Some newspapermen have been attacked because of their critical articles, and this may lead to some degree of self-censorship. Television journalists have become more open and honest in their reports during the last few years. The government respects academic freedom.

The government generally respects religious freedom, although some local officials have been responsible for restricting the activities of foreign missionaries.

Amerindians are often the victims of human rights abuses. Many Amerindians live in extreme poverty, with little access to clean water, fresh food, or free education. Some Amerindian villages are almost completely disconnected from the mainstream of Mexican life. The resultant feelings of alienation have led to the rise of a number of guerrilla movements which demand more rights for native Mexicans. While these movements have attracted outside attention, they have also attracted the attention of the military, who have violated the human rights of villagers in their attempts to catch the guerrillas.

Violence against women is common. Women suffer from both domestic violence and sexual assaults. The police are poorly trained in combating rape, and in a culture that values women's purity, many women, ashamed of what has happened to them, are reluctant to report rapes. Sexual harassment is also common in the work place. Women do not have equal access to business or political jobs.

The government has a number of programs designed to safeguard the rights of children, but inadequate financing and the widespread poverty of many Mexicans mean that many children are not being helped. Children are often forced to work, and poor children often have only limited access to primary education. Many poor children are abandoned to live on city streets. Street children often become drug or alcohol abusers. Many street children work as prostitutes.

There remains widespread discrimination against the disabled in Mexico. Outside observers have pointed out that Mexico's treatment of its mentally ill is particularly inhumane. Some mental patients are allowed to wander around unclothed, or to be soiled by their own feces.

The government allows local human rights groups to operate without restriction. International groups are forbidden to engage in political activities, and the government occasionally uses this as an excuse for interfering in their activities. Human rights activists have been threatened and

assaulted by both supporters and opponents of the government. These attacks have not stopped their operations, but human rights advocates have accused the government of not working hard enough to find and punish those responsible.

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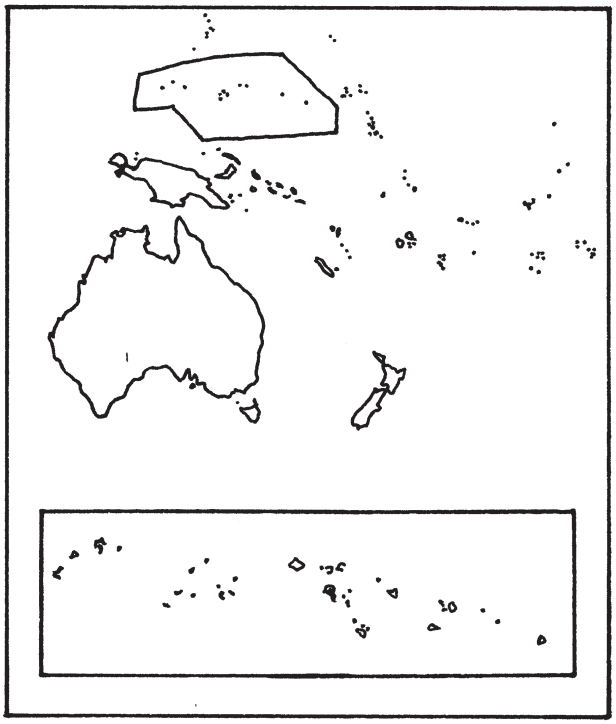
Micronesia



Micronesia, also known as Federated States of Micronesia, is a group of 607 small islands extending over a large area in the Pacific Ocean, north of New Guinea. Some of the islands that make up Micronesia are Pohnpei (Ponape), Truk (Chuuk) Islands, Yap Islands, and Kosrae. The capital city of Micronesia is Palikir. Micronesia's population is around 131,500, divided between nine ethnic Micronesian and Polynesian groups. The most commonly used language is English, although Trukese, Pohnpeian, Yapese, and Korsrean are also spoken. There are two common religions practiced by Micronesians: Roman Catholicism (50 percent) and Protestantism (47 percent), while 3 percent practice some other religion or no religion at all.

BACKGROUND

President Jacob Nena has been acting as Micronesia's chief of state and head of government since July 1996, when former-President Bailey Olter suffered a stroke and was declared incapacitated in November 1996. Olter was still unable to resume his duties 180 days later, and Nena was sworn in as the new president. Nena served the remaining two years of Olter's term then was reelected in May 1999 for a second term. He still serves as president of Micronesia.

The government is a constitutional republic connected with the United States. The Compact of Free Association gave the people of Micronesia their independence on November 3, 1986. Under the terms of this compact, the United States agreed to provide $1.3 billion in grant aid to the islands from 1986 to 2001. Micronesia has no security forces of its own, with the exception of their national police, leaving them totally dependent on the United States for defense. The judicial branch is the Supreme Court, and the legislative branch is a unicameral Congress. There are no formal political parties.

Financial assistance from the United States is Micronesia's primary source of revenue. The economy consists primarily of fishing, tourism, and subsistence agriculture. The tourism industry is small because of the island's location and a lack of adequate facilities. The islands have very few mineral deposits worth exploiting, with the exception of high-grade phosphate. The major exports of the islands are fish, clothing, bananas, and black pepper. Microne-

sia's communications and transportation systems are very limited.

HUMAN RIGHTS

There are no local organizations concerning themselves solely with human rights, which makes human rights evaluations difficult. There are no reports of political or extrajudicial killings or politically motivated disappearances. Substantial cash settlements were received by victims who were mistreated by police in some incidents; the officers involved in the incidents were removed from the police force.

Prison conditions meet minimum international standards. The legal procedures provide for due process, as they are based on U.S. law. An independent judiciary is provided for by the constitution and is independent in practice. The Bill of Rights provides for public trials and most trials are conducted fairly. There are no reports of political prisoners, and the law prohibits arbitrary interference with privacy, family, home, or correspondence, and none of these violations exist in practice.

The constitution provides for freedom of speech and freedom of the press, and a positive development in support of these rights came with the establishment of the now-defunct biweekly newspaper, the *Island Tribune*, which reported on island events and explored and addressed controversial issues. There is one private radio station operated by a religious group. The other four radio stations are controlled by each of the four local state governments, broadcasting primarily in the local language. Pohnpei is the only state that has a television receiver station with access to live satellite-televised information from around the world, and taped broadcasts of the major U.S. networks. The Internet has provided an increasing level of open public discussion of social and governmental issues.

Women's representation in government and politics is very limited at all levels because of Micronesia's male-dominated society. The constitution provides protection against discrimination based on race, sex, language, religion and, but there is extensive societal discrimination, especially discrimination and violence against women. Spousal abuse, reported and unreported, is widespread. Effective prosecution of these offenses is rare. Most victims are pressured by family members into staying silent, or else do not come forward because they feel that the police will not involve themselves in what is seen as a private family problem. There are no laws against domestic abuse and no government or private facilities to support or shelter these women. Women have equal rights under the law, however, and are active and successful in business.

Children in Micronesia are not normally employed for wages, although they do assist families in subsistence farming activities. All children must begin school at the age of six, but they may leave school at the age of fourteen or after completing the eighth grade, whichever comes first. There is some evidence of child neglect, and government agencies usually ignore these problems.

Working conditions in the four state governments provide limited protection of workers' rights. The minimum wage ranges from $0.80 to $2.00 an hour, which is sufficient to provide a decent standard of living under local conditions. There are no laws regulating hours of work or any standards of safety and health. Employers are required by a federal regulation to provide a safe work place, but the Department of

Health provides no enforcement. Workers are not protected from dangerous work situations without jeopardy to their continued employment. There are no regulations guaranteeing access to public buildings or services for disabled persons.

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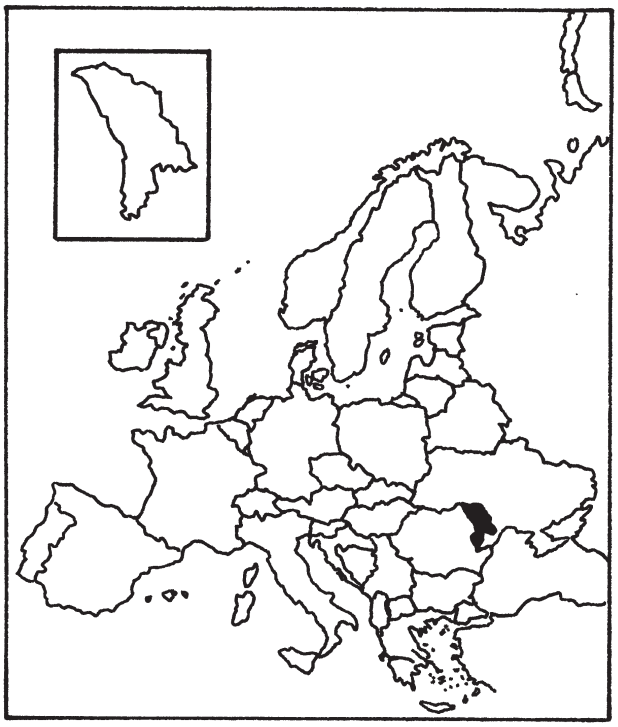
Moldova



The Republic of Moldova gained its independence from the Soviet Union in 1991. It is a land locked country situated in between Romania to the west and Ukraine to the east. Its population is 4.5 million people, with some 800,000 living in the capital Chisinau (earlier officially named Kishinev). According to a 1989 census, the ethnic breakdown was 64.5 percent ethnic Moldavians (Romanians), 13.8 percent ethnic Ukrainians, 13 percent Russians, 3.5 percent Turkic-speaking Gagauz, and 2.7 percent Bulgarians. The two last groups are concentrated in the south of Moldova. The demographic situation of the left bank (eastern Moldova—Transnistria) of the Dniester River is that out of about 750,000 people—of whom 230,000 live in the region's largest city, Tiraspol—the ethnic makeup is 41 percent Moldavians (Romanians), 23 percent Russians, and 18 percent Ukrainians.

BACKGROUND

Moldova is a party to the International Bill of Human Rights, the European Convention on Human Rights, and other treaties. In 1994, Moldova adopted its constitution, establishing a republic and providing for a multiparty representative government with power divided between a president, cabinet, Parliament, and judiciary. The second Moldavian Parliament ratified the accession to the Commonwealth of Independent States (CIS) in 1994. Ratification paved the way for bilateral framework agreement with Russia on the withdrawal of the 14th Army from Tiraspol and the Transnistria region, which was signed in Chisinau in 1995 and ratified by the Moldavian Parliament, with the Russian Duma not yet ratifying it.

The Transnistrian separatists' movement, with the logistical support of the powerful 4th Russian Army, proclaimed its independence from Moldova in August 1990. (The population of the Transnistria, or trans-Dniester, region had a higher percentage of Slavs than the rest of Moldova, and many of them were reluctant to leave the Russian sphere of influence.) Fighting between constitutional forces and separatists of the Transnistrian Republic ensued, resulting in some 200 killed and 500 injured. A cease-fire was brought about in July 1992, with the Conference on Security and Cooperation in Europe (CSCE), the Russian Federation, and Ukraine acting as mediators. Since then, the country has re-

mained "de facto" divided, with the internationally unrecognized "Transnistrian Moldavian Republic" still in control of the east bank of the Dniester River.

The situation between Moldova and the breakaway Transnistria region remains tense, with the potential for human rights abuses to occur if fighting should resume. The internal human rights situation in the two halves of Moldova are also very different. In general, there is much less freedom and respect for human rights in the Transnistrian republic than in the Moldavian republic.

HUMAN RIGHTS

Moldova does not provide all the respect for human rights that it should, but has made real efforts in the past few years to improve its human rights situation.

Moldova recorded significant improvements since 1992 with respect to human rights and fundamental freedoms, ratifying international human rights treaties, becoming a member of the United Nations (UN) and the Council of Europe, guaranteeing free multiparty elections, constitutionalizing the separation of powers, and establishing the Constitutional Court and Ombudsman Institute. Transnistria remains out of the government's actual control. In Transnistria, an emergency law declared by the local regime, on economic grounds, outlaws political parties and enables severe restrictions on civil and political rights. Human rights in Transnistria are in much greater jeopardy than in Moldova proper.

The 1996 and 1998 elections in Moldova were considered free and fair by international observers. Some limits were placed on free speech, as the Central Election Commission (CEC) ordered that both public and private broadcasting stations refrain from airing information which could "undermine public order," "pose a threat to the security of persons and property," or "degrade human dignity." It was forbidden to depict important national monuments and buildings in campaign materials or to use documents "touching upon the interests of public persons" without their written consent. These restrictions did not adversely affect the freedom of the electoral process to a great degree.

Some favoritism was shown to the ruling political coalition. Moldavian public television allocated two-and-a-half times more free airtime for the coalition than for its opponents. Also, the government-owned newspaper *Moldova Suverana* gave the coalition as much space as it gave to all the other parties combined. The CEC ignored these violations of regulations. A Supreme Court judge ruled that these disproportionate allocation of airtime by the CEC was legal. The majority of press and media are highly politicized.

The situation was much worse on the east side of the Dniester. The authorities of Transnistria banned elections there, and less than 10 percent of the region participated in the parliamentary elections. Also, the local government canceled bus service to hamper people who wished to vote. No political party other than the Communist Party was allowed to campaign.

Free speech in Moldova is protected but with limitations. The Moldavian constitution prohibits "expression that may harm the honor, dignity or the rights of other people" and criminalizes "defamation of the State and people." The political majority of the Parliament appoints the director of public television and radio. Access of journalists to hearings in the parliament and governmental meetings was frequently restricted.

In Transnistria, a local paper of the city of Rabnita faced charges of defamation of a public officer and was forced to shut down. Local Transnistrian authorities have a monopoly on setting up mass media institutions.

Moldavian legislation remains restrictive of religious activities, maintains control over religious liberties, and does not clearly stipulate the separation of church and state. According to the Moldavian law, religious organizations must register with the government. Some Moldavian newspapers print hate speech directed toward non-orthodox religions.

There are two orthodox churches functioning in Moldova: the Moldavian Mitropolia (Mitropolia Basarabiei), which is subordinated canonically to Moscow, and the Besarabian Orthodox Church (Mitropolia Basarabiei), which is subordinated canonically to Bucharest. The Moldavian government refuses to officially recognize the Besarabian Orthodox Church because "its activity is in contradiction with canonical order [i.e., that of the Moldovan Orthodox Church] and its recognition by the government would ignore the existence of a canonical order in the Orthodox Church in Moldova." The Besarabian Orthodox Church remains, in effect, an outlawed religious organization.

Transnistrian authorities refuse registration of Jehovah's Witnesses, citing their refusal to serve in the army, their rejection of blood transfusion, and their "destructive," "non-traditional," and "intolerant and aggressive" attitude toward other religions. These community members were harassed by local militias, attacked with hate speech in local media, and had their literature seized.

As Moldova is a party to the European Convention on Human Rights, the death penalty was abolished in 1995. The situation of prisoners remains serious, however. Due to extremely poor physical conditions, the poor quality of food, and inadequate medical treatment, inmates suffer from overall physical weakness and illnesses. Contagious diseases such as tuberculosis were widespread. Minors were sometimes held with adult inmates, and pretrial detainees were often incarcerated with convicted criminals. In Balti police headquarters, the 100-square-foot cells held four or five persons each. Often these prisoners were forced to sleep without mattresses. Toilet facilities were limited, as was running water. There are many cases of police beatings in pretrial detention, along with the use of electric shock. Prisoners' correspondence is read by the authorities.

In Transnistria, the condition of prisoners is far worse. Torture of suspects and prisoners is commonplace, and fair trials are impossible. In December 1999, the detainees of Hlinaia detention facility near the city of Grigoriopol in the region of Transnistria declared a hunger strike to protest poor detention conditions, systematic beatings, and other abuses. Six detainees committed suicide.

Secrecy of correspondence and telecommunications reportedly has been violated by the Moldavian Ministry of National Security and the Department for Combating Organized Crime and Corruption.

In 1995, the Moldavian Penal Code was amended, eliminating punishment for homosexuality, overturning previous laws which had provided for up to five years of imprisonment. There remains a discriminatory attitude toward homosexuals. In Transnistria, homosexual behavior is outlawed.

Moldova has not adhered to international treaties designed to protect refugees and the displaced nor has it developed internal legislation for this problem.

Minorities rights are protected better in Moldavia then in Transnistria. In Transnistria, local authorities banned public education in languages using anything but the Cyrillic alphabet. Private schools, which continued to use the Latin alphabet, faced financial discrimination and some of them were stripped of their licenses. Teachers in the Grigoriopol private schools were harassed by paramilitary groups of Cossacks because of their use of the Latin alphabet. Some 500 parents of pupils attending a Romanian/Moldavian school in another city of Transnistria accused the authorities of practicing "cultural genocide" on their children.

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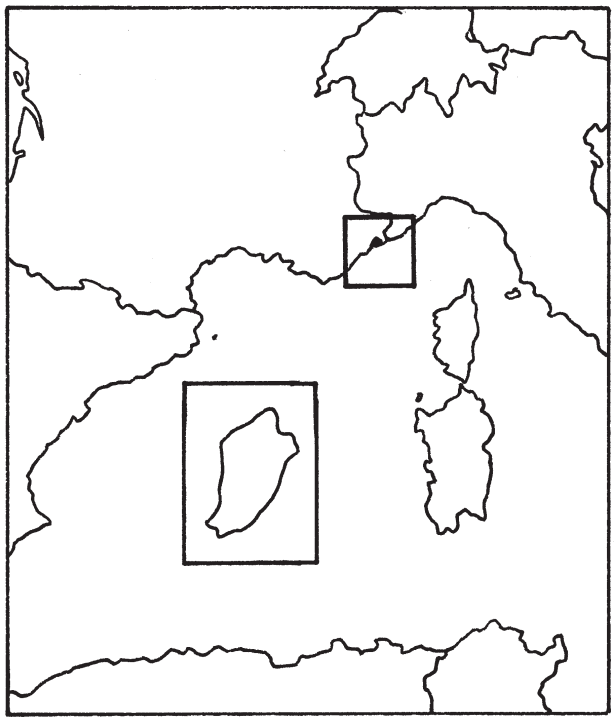
Monaco



The Principality of Monaco is a small state forming an enclave in southern France, bounded on the south by the Mediterranean Sea. Monaco is the capital city. Three major ethnic groups that comprise the population, estimated at around 32,000, are Monegasque (16.7 percent), French (47 percent), and Italian (16 percent). French is the official language; however, English, Italian, and Monegasque (a blend of French and Italian) are widely spoken as well. About 95 percent of the population is Roman Catholic; the remaining 5 percent practice other religions.

In 1861, the Principality of Monaco became an independent state under French Protection. In 1911, a constitutional monarchy was established. In 1962, a new constitution was promulgated, which abolished capital punishment, approved female suffrage, and established a Supreme Court to guarantee fundamental liberties. In 1993, the Principality of Monaco became an official member of the United Nations with full voting rights.

Prince Rainier III is the chief of state. The minister of state, who is always a French citizen, is appointed by the prince. The prime minister and three other ministers make up the Council of Government, which remains in power for three years. Legislative power is shared between the prince and the National Council, which is formed by eighteen members and elected by universal suffrage.

Monaco's economy is mainly based on banking, light manufacturing, services, and tourism, which supports the population with a high standard of living.

The constitution provides for all the fundamental human rights, and the government respects them in practice. In addition, the government encourages the formation of human rights monitoring groups and welcomes visits by international human rights monitors.

The Principality of Monaco respects the United Nations Convention Relating to the Status of Refugees, but it does not guarantee asylum or refugee status unless the request meets the requirements of French law. So far, the number of requests has been very limited.

The government is very committed to women's and children's rights. Regulations supporting the disabled have been widely implemented.

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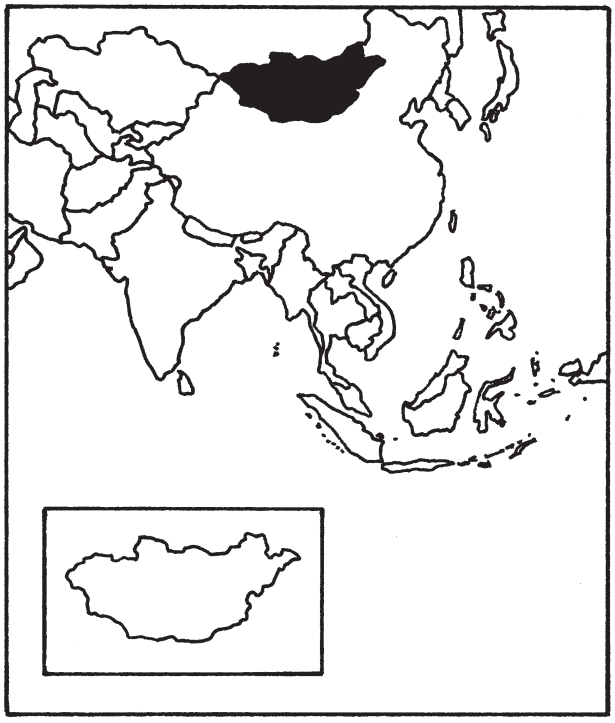
Mongolia



Mongolia is a country in northern Asia, between Russia and China. Ulan Bator is the capital city. The population, which was estimated at 2.6 million in 1999, comprises Mongols (90 percent), Kazakhs (4 percent), Chinese (2 percent), Russians (2 percent), and others (2 percent). Nearly half of the population lives in the capital, Ulaanbaatar, and in other provincial centers. About 4 million Mongols live outside Mongolia, and about 3.4 million live in China, mainly in the Inner Mongolia Autonomous Region. Some 500,000 live in Russia. Over ninety percent of the population speaks Khalkha Mongol; minor languages include Kazakh, Chinese, and Russian. Tibetan Buddhism, which was suppressed under the communist regime until 1990, is the dominant religion. Islam and Shamanism are also practiced by minorities.

BACKGROUND

Mongolia has a parliamentary form of government. The executive branch of the government consists of a president and a prime minister. The legislature is called the State Great Hural, with seventy-six deputies. The president is second in authority to the State Great Hural. The Supreme Court represents the judicial branch.

The origins of Mongolia date back to 1203, when Genghis Khan established a single Mongolian state based on nomadic tribal groupings. China gained control of Mongolia in the 1600s. The region became known as Outer Mongolia, and was a Chinese province from 1691 until 1911. In 1912, with the collapse of the Chinese empire, Outer Mongolia became an autonomous state under Russian protection. The Mongolian People's Republic was proclaimed on November 25, 1924, after which Moscow again became the major outside influence on Mongolia. Independence from the former Soviet Union was not achieved until 1990, when the constitution was amended to provide for a multiparty system and the first democratic elections were held. The election of the first non-communist government was held on June 30, 1996.

Mongolia is a very poor country. Traditionally, Mongolia's economic activity was based on agriculture and the breeding of livestock. Mongolia has made efforts to develop a free-market economy by freezing spending, easing price controls, privatizing

Two men sit on a curb outside a newly built housing project in Ulan Bator.

large state enterprises, and liberalizing domestic and international trade. Such efforts, however, have been complicated by the deterioration of the economy of the former Soviet Union, which had served as the primary market for Mongolian industry, as well as by Mongolia's severe climate, scattered population, and wide expanses of unproductive land. In 1997, Mongolia joined the World Trade Organization.

HUMAN RIGHTS

Although the government generally respects the human rights of its citizens, problems remain in some areas.

Prisoners and detainees, especially in the countryside, are occasionally the victims of beatings by members of the security forces. Prison conditions are generally very poor. Food and heat are insufficient, threatening the health of inmates who often enter prison already infected with tuberculosis. Prisons and detention facilities are also very crowded, and restrictions on due process for prisoners are common.

Although the constitution provides for the rights of freedom of speech, press, and expression, both state-controlled and independent media are manipulated occasionally by the state in order to promote government policy.

Furthermore, despite the constitutional provisions defending the right both to worship and not to worship, and the recognition of the separation of church and state, official harassment occurs of some religious groups seeking to register with the

government.

The constitution also states that discrimination based on ethnic origin, language, race, age, sex, social origin, or status is forbidden, and that men and women are equal in political, economic, social, cultural fields, and family. In practice, discrimination still occurs. Women generally enjoy equal rights in most areas. They receive equal pay for equal work and have equal access to education. Nevertheless, women are often victims of violence, including rape and spousal abuse. Furthermore, the number of single-parent families—most of which are headed by women—has been increasing over the years.

Several human rights groups operate without government restriction, investigating and publishing their findings on human rights cases.

Barbara and Michela Zonta

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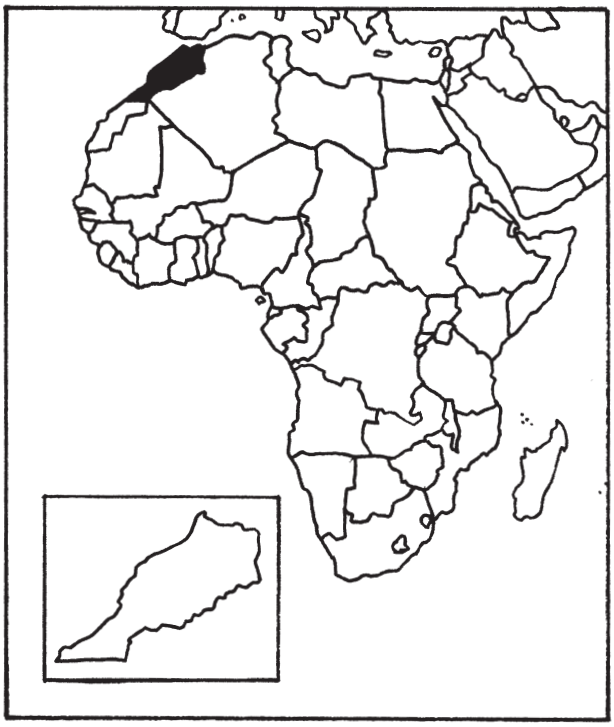
Morocco



Morocco is a country in northwest Africa, bounded on the north and northwest by the Mediterranean Sea and the Atlantic Ocean, on the east and southeast by Algeria, and on the south by Western Sahara. Mostly Sunni Muslims of Arab, Berber, or Arab-Berber origin make up its population of about 30 million. Arabic is the official language, although French is spoken in both the government and in business. Rabat is the capital city; Casablanca is the center of commerce and industry.

BACKGROUND

Formerly a protectorate of France, Morocco recovered its political independence in 1956. The reformed 1996 constitution provides for a constitutional monarchy, with a bicameral legislature consisting of a lower house elected through universal suffrage, and an upper house whose members are elected by local councils. In March 1998, the king approved the first coalition government of opposition parties in decades, led by Socialist Prime Minister Youssoufi. The decision was made in response to criticism of the November 1997 parliamentary elections, which were considered fraudulent by most independent observers, and it marked an important step toward democratization.

Morocco's diversified economy is based primarily on agriculture, services, light industry, mining, and tourism, but illegal growing of cannabis represents a significant portion of Morocco's economic activities. Considerable monetary inflows also come from Moroccans working abroad. The unemployment rate has been rising in the past few years, despite generally strong economic growth.

Morocco is a member of the United Nations and some of its related agencies, including the International Monetary Fund. It is also member of the Arab League and continues to play a significant role in the search for peace in the Middle East.

HUMAN RIGHTS

The human rights situation has been improving. The prime minister has established an interministerial commission on human rights. Furthermore, in recent years the government has made efforts to disclose as much information as possible on the forced disappearances that occurred after the attempts to overthrow the government in

A crowd of young children getting immunized by UNICEF.

1971 and 1972. However, problems persist in several areas.

Citizens do not have the full right to change their government. The king is the head of state and has the power to replace any minister at his own discretion. Moreover, the Parliament's ability to effect changes in the government remains mostly theoretical.

The constitution provides for the independence of the judiciary; however, it is corrupt and subject to the influence of the government.

The security forces continue to commit human rights abuses in the form of torture and the mistreatment of detainees. In addition, recent reports document that the police charged into crowds of demonstrators, indiscriminately beating participants and journalists.

The authorities sometimes ignore legal provisions regarding arrest, pretrial detention, and due process. Prison conditions are harsh, with overcrowding, lack of sanitation, and poor medical care being the major problems, often resulting in unnecessary deaths.

The government security services monitor persons, organizations, and university campuses. Freedoms of speech and the press are restricted in certain areas. Local and foreign publications are indirectly subject to governmental control to prevent perceived dangers to state security. The media practice self-censorship. A government-appointed committee monitors broadcasts.

Although granted by the constitution, freedoms of assembly and association continue to be limited in practice. Union activities are subject to governmental interference.

Although the constitution states that all citizens are equal, traditional practices do not protect women and their right to be considered equal with men. In particular, spousal abuse and domestic violence are common and often go unreported. Women also suffer various forms of legal and cultural discrimination. The female illiteracy rate is reported to be 67 percent in urban areas and 89 percent in rural areas. Young girls are exploited as domestic servants, despite the constitutional provision prohibiting child labor. The government does not regulate adoptive servitude, in which children are adopted to become domestic servants, and it is known to occur. In addition, the exploitation of children on the streets and the problem of child drug addiction are common.

The constitution provides for freedom of religion. Until recently, only Islam, Christianity, and Judaism were tolerated. Bahais are subject to discrimination, and converts from Islam to other religions experience social ostracism. Foreign missionaries are limited in their proselytizing to non-Muslims. The Ministry of Islamic Affairs strictly controls mosque sermons and the teaching of the approved Koranic doctrine in Muslim schools.

Citizens are restricted in their freedom of movement. The security forces maintain checkpoints throughout the country, and the Ministry of Interior occasionally limits freedom to travel outside Morocco, especially for suspected Islamic extremists. Civil servants and military personnel must obtain permission from their ministries.

Morocco generally cooperates with the United Nations High Commissioner for Refugees in providing assistance to refugees. The government also cooperates with domestic and international human rights groups, and the prime minister recently announced his commitment to review cases of past and current human rights issues.

Barbara and Michela Zonta

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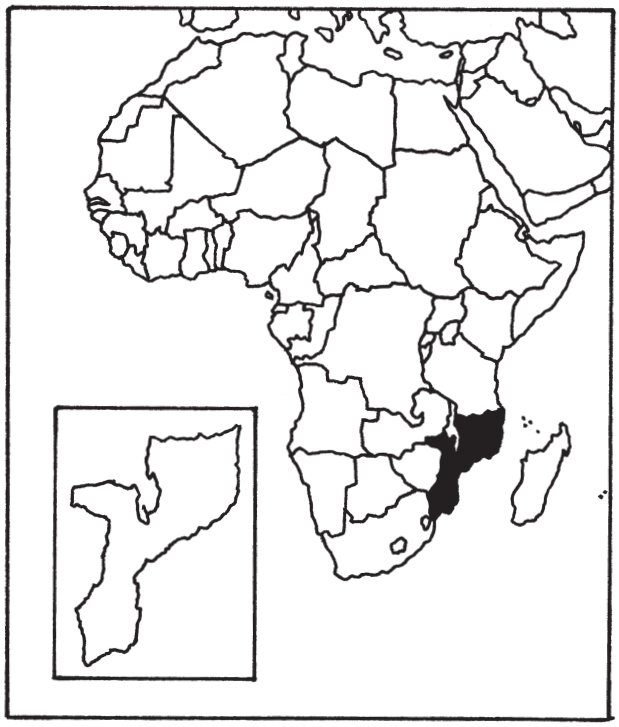
Mozambique



Mozambique is a country in southeastern Africa, bounded on the north by Zambia, Malawi, and Tanzania; on the east and south by the Indian Ocean; on the southwest by South Africa and Swaziland; and on the west by Zimbabwe. Maputo is the capital city. Its population includes ten major ethnic groups and numerous subgroups with diverse languages, dialects, cultures, and histories. In addition to African ethnic groups, about 10,000 people in Mozambique are Europeans, 35,000 are Euro-Africans, and 15,000 are Indians within a total population of approximately 19 million. About 30 percent are Christian; 20 to 30 percent are Muslim, with the remainder mostly holding traditional beliefs. Portuguese is the official language.

BACKGROUND

A Portuguese colony, Mozambique achieved its independence in 1975. A civil war began in 1976 between the Front for the Liberation of Mozambique (FRELIMO) and the Mozambican National Resistance (RENAMO), the latter supported by the South African government. In 1984, however, Mozambique and South Africa signed the Nkomati Accords, opening a new era of economic cooperation and a cessation of hostilities. However, the government was unable to control insurgents affiliated with RENAMO. Not until 1990, thanks to the negotiations held under the auspices of Italy and the Catholic Church, did the two parties agree to a partial cease-fire. A new constitution was created, providing for a multiparty political system, a market-based economy, and free elections. Before then, Mozambique was a socialist, one-party state ruled by FRELIMO. In 1992, with the intervention of the United States, the General Peace Accord was signed. In 1994, the first multiparty elections were held under the supervision of an independent National Election Commission and other international observers, and they were declared free and fair.

The constitution provides for the independence of the judiciary. However, it is heavily subject to the influence of the executive.

Mozambique is a very poor country, with 70 percent of the population living at or below the poverty level. The country's economy is based primarily on subsistence agri-

culture, which employs about 80 percent of the population. Mozambique exports shrimp, cotton, sugar, and cashew nuts. The transition toward a market economy has resulted in the successfull privatization of about 1,000 previously state-owned enterprises. However, unemployment in the formal sector remains a serious problem. In addition, corruption is widely spread throughout both the public and the private sectors. Overall, the economy remains largely dependent on foreign aid programs.

Mozambique is a member of the Non-Aligned Movement and of the African Bloc in the United Nations. It also belongs to the Organization for African Unity and the Southern African Development Community.

HUMAN RIGHTS

The government's human rights record continues to be poor in several areas. The police and the security forces continue to commit human rights abuses in the form of torture, mistreatment, beating, illegal arrests or detentions, and extrajudicial killings. There were reports of many deaths under police custody. In addition, corruption extends to all ranks of the police forces. Newspapers continue to report that the police extort money from street vendors and travelers. There were also reports of police officers abusing street children.

Prison conditions are life-threatening. Food is insufficient; cells are overcrowded,

A woman of Makonde tribe with a lock placed over her mouth.

The under-five mortality rate is 282 per 1,000. This baby was two years old.

and latrine facilities are primitive. Minors are often incarcerated with adults. The lack of sanitation and inadequate medical care resulted in documented reports of prison deaths from cholera, tuberculosis, and AIDS-related diseases. Furthermore, other reports allege extortion and physical and sexual abuse by guards.

Pretrial detentions can be extremely lengthy, due to the shortage of administrative personnel, trained judges and lawyers, and intentional neglect. Although the Penal Code prohibits the incarceration of minors, there are many reports of minors incarcerated without trial. In addition to the formal court system, local customary courts handle minor offenses and are staffed with local arbiters who have no formal training, but have a strong influence.

The government restricts freedom of the press and continues to own the greater part of the country's media, including newspapers and radio and television stations, which generally reflect the views of the ruling party. Journalists still practice self-censorship in fear of losing their position or upon being intimidated by governmental officials. However, the number of independent media has been increasing, and its criticism of the government is largely tolerated.

The government generally respects the freedom of assembly, although some exceptions were reported in the past few years when the government intervened forcefully in labor demonstrations. In addition, the law imposes some limitations on freedom of association, with onerous and expensive registration procedures applying to certain

groups, including political parties and local non-governmental organizations.

Although the constitution prohibits any discrimination based on sex, women are still not protected in all aspects of political, economic, social, and cultural life. Family laws discriminate against women in employment and property issues. Women continue to receive lower pay than men in the same positions. In addition, customary laws and traditional practices further aggravate women's opportunities in terms of education and economic independence. Moreover, violence against women, including domestic violence and spousal abuse, is widespread, especially in rural areas. The civil law does not define domestic violence as a crime, and cultural pressure discourages women from reporting abusive spouses.

Primary education is not compulsory. In general, the education system is overcrowded and corrupt, with parents bribing teachers and girls exchanging sex for passing grades. Major violations of children's rights are committed every day at different levels, including child sex abuse, child prostitution, child labor, and criminal exploitation of street children.

Freedom of movement within the country is limited both for citizens and foreigners. There are numerous police checkpoints throughout the country. In urban areas, police officers routinely stop foreign pedestrians to verify their passports and fine those who do not provide proper documents. Furthermore, local citizens are often detained because they failed to carry identity papers.

The government generally cooperates with the United Nations High Commisser for Refugees in dealing with asylum seekers and refugees. It also cooperates with local and international human rights organizations by responding to human rights–related inquiries.

Barbara and Michela Zonta

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THE HUMAN RIGHTS ENCYCLOPEDIA

Volume Two

Foreword by Aung San Suu Kyi
Winner of the 1991 Nobel Peace Prize

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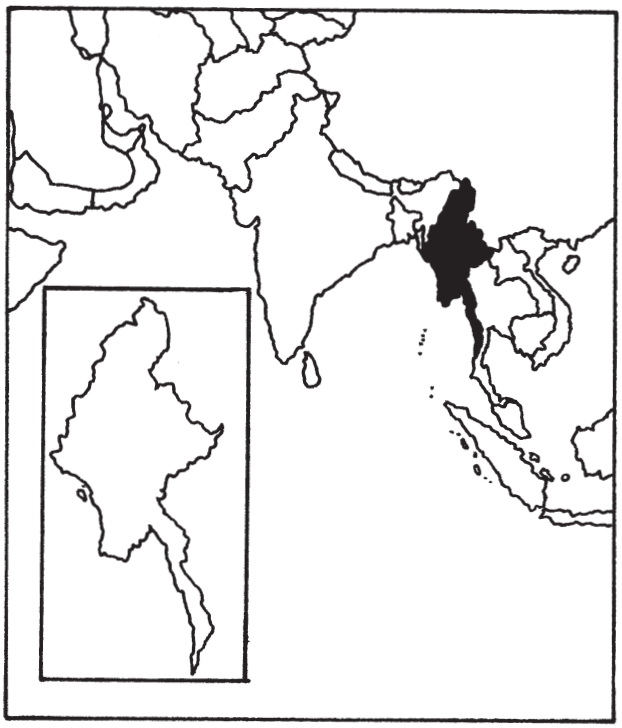
THE HUMAN RIGHTS ENCYCLOPEDIA

Myanmar (Burma)



Myanmar, formerly known as Burma, is located in Southeast Asia, bordering the Bay of Bengal and the Andaman Sea, between Bangladesh, China, India, Laos, and Thailand. The population, estimated at just over 50 million, is composed of seven major ethnic minorities and several smaller ones. The majority ethnic group, Burmese, who make up approximately 68 percent of the total population, are mostly Buddhist, while Christians and Muslims combined make up less than 10 percent of the total population. Over 106 languages and dialects are spoken.

BACKGROUND

In 1948, while working to gain independence from Britain, several important leaders, including the hero of the independence movement, General Aung San, were assassinated. The killings weakened the union of ethnic groups who had placed their trust in these original leaders. Several ethnic groups subsequently began to struggle for increased autonomy from the majority Burmese. This has led to continued strife in Myanmar to this day.

The independence leaders had created a parliamentary democracy which continued to function, despite a context of continuing ethnic strife, until 1962. On the eve of peace negotiations between the Burmese and minority ethnic groups, an army coup led by General Ne Win resulted in a dictatorship that has lasted ever since.

Throughout Ne Win's reign, which lasted ostensibly through 1988, Burma closed itself to the world, forsaking foreign trade and international economics in favor of the "Burmese Way to Socialism." While black markets flourished, Burma's economy was decimated. In 1987, the United Nations declared Burma a "least developed country."

In addition to poor economic management, Ne Win's rule was known particularly for its brutality and paranoia. He devised and oversaw the Military Intelligence Service (MIS), which maintained a pervasive network of informers and spies throughout the country.

By 1988, frustration with Ne Win reached a boiling point when several Burmese students launched a pro-democracy movement that quickly encompassed the entire nation. The army squelched the national demonstrations that ensued by shooting non-violent protestors. Casualty estimates range from 6,000 to 10,000, and most were shot at close range.

In response to the unrest and Ne Win's failing health, the military reorganized itself into the State Law and Order Restoration Council (SLORC)—later renamed the State Peace and Development Council (SPDC) in 1997—and abolished all remnants of civilian administration. The SPDC junta is led formally by General Than Shwe, the top general of the army. The junta is comprised of eighty cabinet members, including forty SPDC ministers.

To pacify the people, the military called for a general parliamentary election in 1990. Opposition parties were briefly allowed to form, and the National League for Democracy (NLD), led by Aung San's daughter, Aung San Suu Kyi, quickly became the leading democratic opposition party. In 1989, just months before the election, the SPDC placed Suu Kyi and several of her NLD colleagues under house arrest, fearing her popularity in the upcoming election. The NLD triumph, however, was still overwhelming. The party won 392 of the 485 seats in Parliament, while ethnic minority groups opposing the regime won an additional 65. The military-backed National Unity Party (NUP) won only ten seats.

Instead of recognizing the results of the election, the regime backpedaled, stating that the delegates were elected to draft a constitution rather than form a Parliament. Still under house arrest, Suu Kyi was awarded the Sakharov Prize from the European Parliament in 1990 and the Nobel Peace Prize in 1991. She remained under house arrest until 1995, when she was formally released. Despite her release, Suu Kyi remains under virtual house arrest—she is forbidden from traveling out of Yangon (Rangoon) and from giving speeches in the city. Moreover, most visitors are blocked from entering her house, and those that do meet her risk detention or even imprisonment. In early 1999, Suu Kyi's husband became terminally ill in England, but the junta refused to grant him a travel visa so he could visit her at home. In March 1999 he passed away before the two were able to reunite.

In August 2000, Suu Kyi was again imprisoned, this time in her own car. On her way to a meeting with supporters, she was stopped by army roadblocks and kept in her car for nine days. She was then forced to return to her house, where, as of September 2000, she remains under house arrest. This new attack on Suu Kyi has attracted international outrage and condemnation.

The NLD, the party Suu Kyi leads, consistently challenges the junta's rule. In June 1998 Suu Kyi and the NLD issued an ultimatum stating that if the junta continued to refuse to open the duly elected Parliament, the NLD would convene it independently. Instead of allowing the NLD to move forward, the junta arrested several hundred members of the party, including over 150 elected military police. In response, the NLD formed the Committee Representing the People's Parliament (CRPP) to speak for the Parliament it was unable to convene. Parliamentarians in several nations have recognized the CRPP as a legitimate and legal body.

HUMAN RIGHTS

Numerous reports by Amnesty International, Human Rights Watch, the United Nations (UN), and the U.S. Department of State document gross violations of human rights by the Myanmar regime. These include arbitrary imprisonment, torture, widespread rape, murder, rampant forced labor, and massive forced relocations. Violations are felt most acutely in ethnic areas, where the SPDC wages a military campaign against

ethnic minorities who have fought for increased autonomy.

According to Amnesty International, over 1,200 political prisoners remain in prison, among them student leader Min Ko Naing and eighty-one-year-old medical doctor U Saw Mra Aung. Prisoners are subjected to inhumane and cruel treatment. They are beaten severely, denied medical care and healthy food, and forced to work in harsh prison labor camps. Several prisoners were reportedly tortured to death. The International Committee of the Red Cross (ICRC) terminated operations in Myanmar after the junta refused ICRC representatives access to political prisoners.

Freedom of expression is curtailed through martial law. The junta often invokes the 1950 Emergency Provisions Act (Section J), which serves as a blanket law forbidding political action. The Press Scrutiny Board strictly reviews all writing that criticizes the junta, and several authors, including U Ohn Myint, have been imprisoned for circumventing the board's objectives. In addition, Law 5/96, The Law Protecting Peaceful and Systematic Transfer of State Responsibility and the Successful Performance of the Functions of the National Convention Against Disturbance and Opposition, prevents critics from "deliver[ing] speeches or mak[ing] statements in order to undermine the stability of the state." The regime has used such laws to imprison political activists for up to fifty-eight years each. Freedom of speech is further prevented by barring the use of fax machines, cell phones, and computers without government permission. In 1996, Leo Nichols, a former consul from Denmark, was arrested for operating a fax machine and phone lines without permission from the government. He was sentenced to three years in jail, and a month later he died in jail while waiting appeal. It is widely suspected that Nichols was tortured, as he was buried the following day without an autopsy.

The junta has displaced over 1 million people as external and internal refugees. In Bangladesh, over 21,000 Rohingyas (Burmese Muslims in the Rakhine State) remain in refugee camps, having fled from attacks by the army against groups fighting for autonomy. In Thailand, over 100,000 Myanmar refugees, mostly of the Karen ethnic group, live in refugee camps. They fled in fear of human rights abuses of the army. Thailand is a not a signatory to the UN Protocol Relating to the Status of Refugees, which has until recently prevented the UN from intervening to protect refugees from army attacks.

For the past decade, well-meaning aid organizations and individual donors have supported the refugees. In 1999, however, Thailand agreed to allow the United Nations High Commissioner for Refugees (UNHCR) to monitor the safety and welfare of the refugee camps for the first time.

Forced labor is pervasive, especially in border areas. Soldiers often force ethnic villagers to carry military artillery and serve as human mine sweepers upon threat of execution. Women often work "double duty," serving as porters during the day and sex slaves at night. In June 1999, the International Labor Organization (ILO) effectively suspended Myanmar from participation in the ILO until the junta stops using forced labor: "The government of Myanmar should henceforth not receive any invitation to attend meetings, symposia and seminars organized by the ILO, except such meetings that have the sole purpose of securing immediate and full compliance."

Women traditionally are granted lower social status than men, even though the junta has acceded to the Convention to

Eliminate All Forms of Discrimination Against Women (CEDAW). Not one of the forty ministers in the junta is a woman. Moreover, rape by the army flourishes, mostly in ethnic areas. While difficult to estimate for reasons of culture and gender, EarthRights International has calculated the total number of rapes perpetrated by the army at anywhere from 36,800 to 1.5 million. The army uses rape as a method of psychological warfare, demoralizing women and families who survive both individual and gang rapes.

In Yangon and other areas, the junta uses the Union Solidarity and Development Association (USDA), a purported civic group, to harass and threaten NLD leaders and members. International observers often liken the USDA to Germany's "Brown Shirts" of the 1930s and 1940s. In 1996, the USDA led an attack on Suu Kyi's motorcade, throwing stones and chains at her and NLD aides. U Sein Win, the junta's Minister for Rail Transportation, has called for serious action against Suu Kyi and the NLD. "We must kill her," he has remarked repeatedly.

Students traditionally play a strong role in Burmese politics. In 1996, after student protests against the regime, the junta closed all universities. Since the junta assumed power from Ne Win in 1988 through August 1999, the universities have been kept closed intermittently for all but 60 months. A university education in Myanmar is currently available only to high-ranking members of the SPDC.

Suu Kyi and the NLD have issued a call for economic sanctions against Myanmar until the junta enters into a three-way di-

Burmese Student League members protesting their government s human rights abuses in New Delhi, India.

alogue with the NLD, and ethnic minorities. In May 1997, the United States responded by imposing unilateral economic sanctions against the country, effectively barring all new U.S. companies from investing in the country until the human rights situation improves. The U.S. government has also expressed frustration at the SPDC's failure to combat the heroin trade. At least 50 percent of the heroin sold in the United States originates in Myanmar.

The European Union (EU) also employs limited sanctions against Myanmar, refusing to grant visas to members of the junta, boycotting Myanmar's participation in regional meetings, and revoking preferential trade agreements. Ireland, Canada, Denmark, and scores of other Western governments have issued statements condemning the junta's behavior and supporting Suu Kyi. Despite Myanmar's plentiful natural resources, the sanctions, combined with the Asian financial crisis, appear to have had a devastating effect. Currently the country's economy is in ruins; efforts to attract foreign currency through tourism and international trade have been effectively thwarted by the pro-democracy movement.

The UN has made several attempts to encourage dialogue between the junta and the NLD, all of which have failed. In the autumn of 1998, the UN and the World Bank offered a $1 billion economic aid package in exchange for moves toward dialogue with the NLD, but the junta refused the proposal. The UN Committee on Human Rights and the UN General Assembly have consistently issued resolutions condemning the junta for human rights violations and calling for dialogue.

The Association of Southeast Asian Nations' (ASEAN) regional grouping opened its membership to Myanmar in 1997 in the face of heated protest from Western nations and the UN. ASEAN and its member nations maintain a policy of "non-interference" toward Myanmar, refusing to isolate the country economically or diplomatically. The move to welcome Myanmar into the Southeast Asian diplomatic community has caused serious diplomatic problems for ASEAN's external relations, twice postponing meetings with the EU. The Philippines and Thailand have been the most vocal critics of Myanmar, though both prefer to confront the junta privately and seek to avoid public condemnation.

China has shown a nominal interest in Myanmar. In addition to signing several mutual security pacts, China sold arms worth $1.2 billion to the SPDC during the early 1990s. Observers believe China's key interests lie in blazing a path to the Straits of Malacca, important shipping waters, and preventing the expansion of Indian influence in Southeast Asia. India often accuses China of assisting in the upgrade of Myanmar's naval bases, which are purportedly used to monitor the Indian navy. For its part, the SPDC has allowed an influx of Chinese into several areas of Myanmar, including Mandalay, the second largest city. The rapid increase in the Chinese population has bred frustration and concern among some Burmese, and the SPDC's future policies toward Chinese immigration are unclear.

Numerous Burmese organizations support the democracy movement. After the 1988 crackdown, nearly 10,000 students fled to jungle areas along Myanmar's borders, where they joined with ethnic groups and launched an armed struggle against the junta. In recent years, however, the junta has largely defeated the ethnic groups and students, forcing them across the border into Thailand. Several ethnic groups have signed cease-fire agreements, often in

exchange for non-interference in heroin production. The All Burma Students' Democratic Front is the sole remaining student guerrilla organization, while the Karen National Union remains the biggest ethnic threat to the junta.

Internationally, the National Coalition Government of the Union of Burma (NCGUB) leads the diplomatic effort to bring change to the country. The NCGUB is made up of members of Parliament elected in 1990 who fled to set up a temporary government-in-exile. Dr. Sein Win, a mathematics professor from Pauk Chaoung, serves as the prime minister, and it is based in Washington, D.C.

The Free Burma Coalition (FBC) leads the international grassroots movement for the country. An umbrella organization, the coalition includes students operating on the Thai border, non-governmental organizations, and students around the world. The FBC was largely responsible for pressuring over thirty international corporations out of the country, paving the way for U.S. sanctions in 1997.

Jeremy Woodrum

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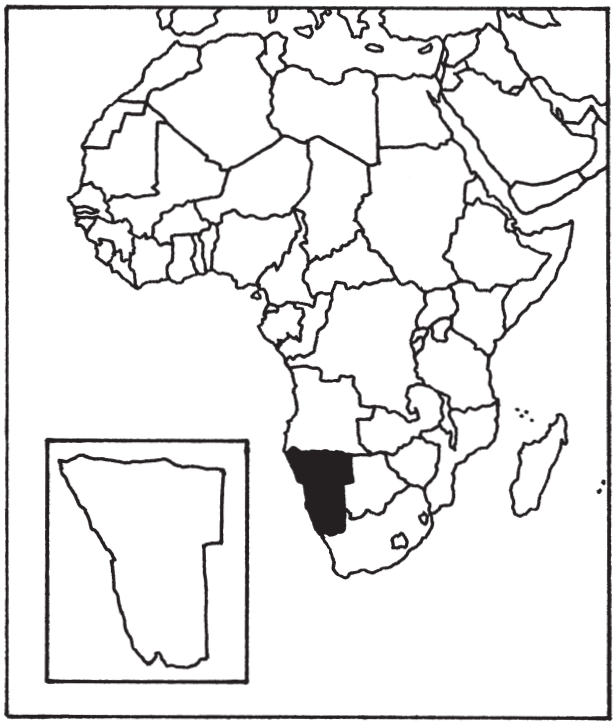
Namibia



The Republic of Namibia is a country in southwest Africa, bounded on the north by Angola and Zambia, on the east by Botswana and South Africa, and on the west by the Atlantic Ocean. Its population is estimated at 1.6 million. About 87 percent of Namibia's people are Africans of different ethnic origins (i.e., Ovambo, Kavango, Herero/Himba, Damara, and Bushman), 6 percent are of European background (Afrikaner, German, and Portuguese), and the rest are mixed. The population is predominantly Christian; however, indigenous beliefs are also practiced. English is the official language; Afrikaans, German, and various indigenous languages are spoken as well.

Namibia achieved its independence from South Africa and became a member of the United Nations (UN) in 1990. The country's first free elections were held in 1989, and since then Sam Nujoma, leader of the South West Africa People's Organization (SWAPO), has been president.

Namibia is a multiparty democracy, with forty political groups. SWAPO is the ruling party, holding the majority of the seats in the National Assembly. The judiciary is independent.

Namibia's economy is based on traditional subsistence agriculture and on a modern market sector, which is still largely controlled by white Namibians and foreign interests. The principal exports are diamonds, minerals, cattle, and fish. In 1998, per capita annual gross domestic product was estimated at between $1,860 and $4,100. However, a wide disparity persists between blacks and whites in terms of income level. The unemployment rate of 40 percent appears mostly to affect the black majority.

HUMAN RIGHTS

As far as human rights are concerned, the government generally respects the rights of its citizens, although significant problems remain in several areas.

Human rights organizations, political parties, and the public continue to request a full, official accounting of people who were detained by SWAPO and disappeared prior to independence.

Members of the police force continue to commit human rights abuses. In particular, there have been allegations of extrajudicial killings and rapes committed by govern-

Residents cover their faces to avoid the smell of rotting bodies of dead rebel soldiers, April 1989.

mental security forces. In 1998, during an armed secession in the Caprivi region, the security forces beat, detained, and shot civilians. Local human rights non-governmental organizations allege that abuses by the police mostly occur in rural areas, where citizens are not yet aware of their rights.

Prison conditions are harsh, with overcrowding a serious problem. In many rural areas, juveniles continue to be held with adult inmates.

Pretrial detentions are lengthy, due to a lack of qualified magistrates, court officials, and private attorneys. Particularly in rural areas, accused persons are not guaranteed counsel because of resource constraints. In addition, traditional courts dealing with minor offenses often do not ensure the constitutional right to a fair trial. Furthermore, those awaiting trial under the formal court system are treated as through they are convicted criminals.

The government generally respects the constitutional provisions for freedom of speech and freedom of the press. However, there has been an increasing official intolerance of criticism against ruling party policies. In this regard, the president and other ruling party officials have made verbal attacks against the independent press. Furthermore, reporters working for the government-owned media have been pressured not to report on controversial issues.

The constitution provides for freedoms of assembly and association, including the right to form and join trade unions.

Women, especially in rural areas, continue to be subjected to cultural and legal discrimination, despite the government's overall effort to protect women's rights.

However, little has been achieved in terms of elevating women to higher positions in society, including representation in government. Violence against women, including domestic violence and spousal abuse, is still a problem, although courts have been handing out more severe sentences for convicted rapists. Children's welfare is still addressed inadequately, with child abuse being a serious issue.

Discrimination based on race or ethnic origin occurs throughout the country. Some evident disparities in education, health, employment, and working conditions affect non-whites and indigenous citizens such as Bushmen. Despite the constitutional provision prohibiting "the practice and ideology of apartheid," there continue to be reports of exploitation of black farm workers by white farm owners.

The government generally cooperates with the United Nations High Commisser for Refugees in assisting refugees and asylum seekers. However, a few recent deportations of refugees have raised strong criticism of the government by international human rights groups.

Barbara and Michela Zonta

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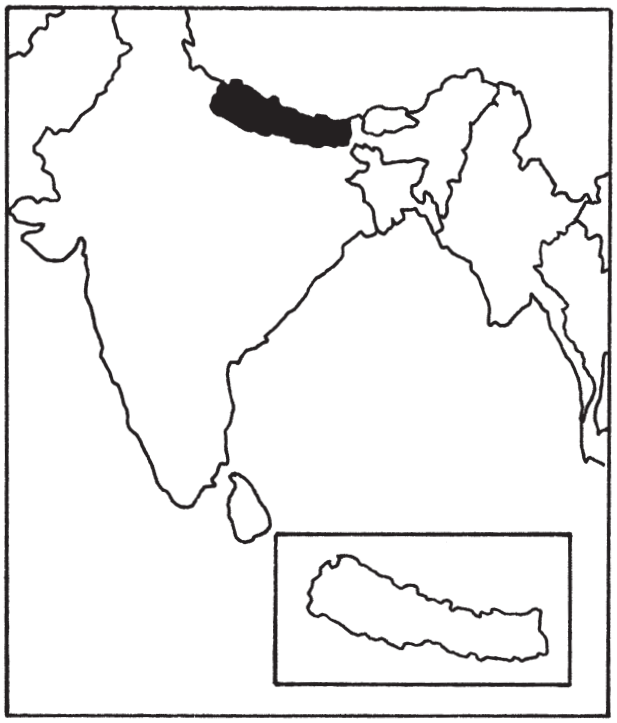
Nepal



The Kingdom of Nepal is a landlocked country situated between India and the Tibetan Autonomous Region of China. Katmandu is the capital city. The country's population of approximately 24 million includes seventy-five ethnic groups, including Newars, Indians, Tibetans, Gurungs, Magars, Tamangs, Bhotias, Rais, Limbus, and Sherpas. About 90 percent of Nepalese are Hindu, with the remainder being Buddhist (5 percent) or Muslim (3 percent). Nepali is the official language, however, there are approximately twenty different languages spoken throughout the country.

BACKGROUND

Nepal achieved independence from Britain in 1923 and became a constitutional monarchy in 1951. However, the monarchs retained absolute power and maintained a ban on political parties. In November 1990, a pro-democracy movement forced King Birendra, on the throne since 1972, to promulgate a new constitution and introduce a multiparty democracy in Nepal. Free elections were held and resulted in the victory of the liberal Nepali Congress Party, although the Communist Party achieved significant electoral results. Since the 1991 elections, the government has suffered from political instability. The Parliament has been characterized by fragile alliances, multiparty chaos, and corruption among prime ministers. A guerrilla movement, the Maoist United People's Front (UPF), has been operating in the country since 1996, launching a war against civilians and public officials in western Nepal.

In 1999, however, the political scene started to change when the Nepali Congress Party obtained the majority of seats in Parliament and secured enough power to govern effectively.

King Birendra still retains important powers but does not interfere with the day-to-day government activities. The prime minister is appointed by the king. The legislative branch is a bicameral parliament with a House of Representatives, or lower house, and the National Council, or upper house, which can amend or reject legislation proposed by the lower house. The constitution provides for the independence of the judiciary.

On international issues, Nepal follows a non-aligned policy. The country is a member of the United Nations (UN) and participates in a number of UN special agencies. It is also a member of the World Bank, the

Western tourist filming a blind beggar. The beggar hopes to be paid in return for the picture.

International Monetary Fund, the Colombo Plan, and the Asian Development Bank.

Nepal is a very poor country with a mixed economy. Per capita annual gross domestic product is estimated at $1,100. About 80 percent of the population is engaged in subsistence agriculture. Main crops include rice, corn, wheat, maize, jute, and potatoes. Tourism, carpet, and textile exports comprise the major source of foreign exchange. More than half of the development budget comes from foreign aid.

HUMAN RIGHTS

The government generally respects the human rights of its citizens. However, problems remain in several areas. In the effort to combat the Maoist insurgency, the government continues to use lethal force against persons suspected of involvement in the guerrilla movement. There were credible reports that the police killed unarmed civilians during operations against the insurgents or while persons were under custody. On the other hand, the UPF committed many human rights abuses through torture, killings, and bombings involving civilians and police officers.

The security forces reportedly use torture and beatings against detainees during interrogations. The authorities rarely conduct investigations or take disciplinary actions against officers involved.

Prison conditions are poor, with overcrowding and the use of excessive force

against detainees being the main problems. The government occasionally uses arbitrary arrest and detention. Lower-level courts are subject to corruption and political pressure. In addition, the administration of justice is extremely lengthy. It has been estimated that approximately 150,000 cases are active throughout the country, and 15,000 are awaiting trial in the Supreme Court.

The government imposes some restrictions on freedom of speech and freedom of the press. The constitution prohibits speech and writing that undermines order, security, morality, and the sovereignty of the kingdom. Foreign publications can be banned for the same reason. Although there are several independent newspapers representing various political views, the government owns the daily newspaper that has the largest circulation, and consequently it reflects the government's policies. The government also owns the only television station, along with a radio station. However, there are three other private radio stations, and citizens are not restricted in their access to foreign radio and television broadcasts.

The government occasionally restricts freedom of assembly on vague grounds such as protecting the integrity of the state or the public order.

The constitution prohibits discrimination based on race, caste, gender, religion, disability, or ideology. However, discrimination against lower castes in education, business, and politics remains common. At Hindu religious temples, the tradition of the public shunning of "untouchables" is still permitted.

The constitution allows the practice of religions other than Hinduism. However, conversion is prohibited and punishable with fines or imprisonment. Moreover, members of religious minorities often complain of police harassment.

Women continue to face discrimination, particularly in rural areas, where cultural tradition, lack of education, and ignorance of the law represent severe impediments to the exercise of their basic rights, such as the right to vote or the right to own property. Discriminatory laws still affect women in marriage and in inheritance. They receive lower pay for equal work, and their literacy rate is much lower than that of men.

In addition, violence against women, including domestic violence, is widespread. In particular, the law does not protect against domestic violence. Rape and incest are also serious problems. Moreover, the trafficking of women and girls for prostitution is a deeply ingrained social problem. Every year, it is estimated that 5,000 to 7,000 girls between the ages of ten and eighteen are lured or forced into prostitution.

The government is committed to children's welfare in health and education; however, its resources are too limited to meet these demands. Child labor is common, and despite governmental efforts to control the practice, children are exploited in the agricultural, pottery, basket weaving, sewing, and iron industries. Forced or bonded labor by children also exists in many sectors of the economy. Children's rights groups estimate that over 50 percent of all children work.

People with disabilities face widespread discrimination, including neglect from their families, who are often stigmatized or feel ashamed of them. The general view is that the disabled are unproductive, and sometimes mentally ill or retarded persons are placed in prisons due to the lack of appropriate facilities or alternative support.

The government restricts travel of foreign tourists and foreign residents to some areas near the Chinese border. There is no law regulating refugee status. However, the gov-

ernment cooperates with the United Nations High Commissioner for Refugees in assisting refugee and asylum seekers. Since 1959, approximately 20,000 Tibetan refugees have been accepted and many reside in the country. Moreover, since 1991 more than 90,000 ethnic Nepali refugees from Bhutan are living in camps in eastern Nepal.

A number of non-governmental human rights organizations operate in the country. Their activities focus on torture, child labor, women's rights, and ethnic minorities. The government allows local and international human rights groups to visit prisons. However, both the government and UPF militants have occasionally limited the activities of human rights activists.

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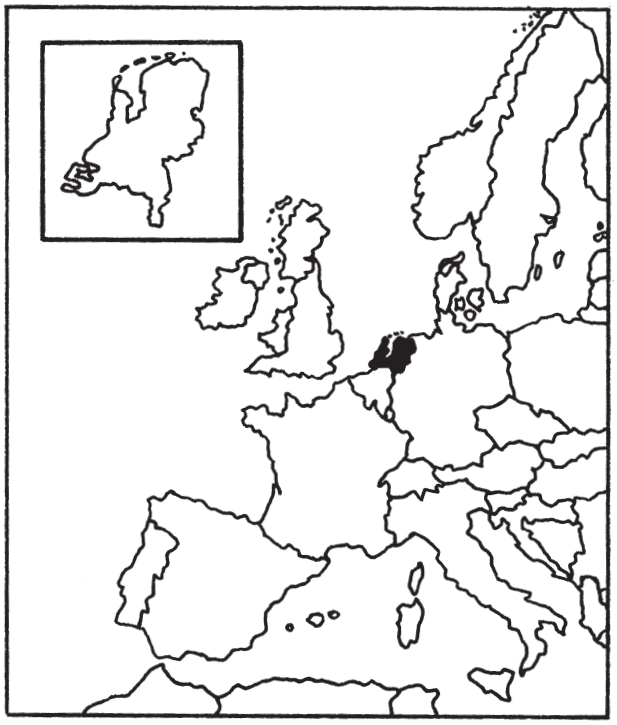
Netherlands



The Netherlands, also known as Holland, has a total area of 16,033 square miles. The capital and largest city is Amsterdam. About half the country is below sea level and is kept dry by continuous mechanical pumping. It has a population of 15.8 million (1997 estimate), 89 percent of whom live in urban areas and is one of the world's most densely populated countries. Most inhabitants are Dutch, but the Frisians are a distinct cultural and linguistic group.

BACKGROUND

Trade is an essential part of the economy. During World War II (1939–1945), the Netherlands was occupied by the Germans and suffered heavy destruction. The years following the war focused on efforts to rebuild the country and to restore trade and industry. Industrial production was relatively unimportant until the development of chemical and electronics industries after World War II, when Rotterdam became a leading center for refining petroleum. The Netherlands is now the world's fifth largest exporter of natural gas. The Dutch currency is the guilder.

The Netherlands is a constitutional monarchy with a parliamentary legislative system. The prime minister and cabinet, representing the governing political parties (traditionally a coalition of at least two major parties), exercise executive authority. The prime minister is responsible to the States-General, which has a seventy-five-member First Chamber elected to four-year terms by the provincial legislatures, and a 150-member Second Chamber, directly elected to terms of up to four years. Since the 1960s, coalition governments have ruled the Netherlands.

Regional police forces maintain internal security. The police, the royal constabulary, and investigative organizations concerned with security are under civilian authority. A police professionalization program, as well as the establishment of a grievance committee, is intended to correct the causes of incidents of police brutality in both the Netherlands Antilles and Aruba.

HUMAN RIGHTS

Aruba and the Netherlands Antilles, two autonomous regions of the kingdom, also have parliamentary systems and full constitutional protection of human rights. Re-

Schutterswei prison for illegal foreigners, 1990.

spect for human rights in these islands generally is like that in the European Netherlands. The Netherlands does not practice arbitrary arrest, detention, or exile.

Following a visit to the Netherlands, the Council of Europe's Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (CPT) reported that it found a few incidents in which officials treated detained persons incorrectly. The CPT approved the facilities at most police stations and at detention, secure psychiatric, and asylum centers. However, it urged better access to medical and recreational facilities for detainees.

Prisons in the Netherlands meet minimum international standards, and Holland permits visits by human rights monitors. However, the CPT has urged the governments of the Netherlands, the Netherlands Antilles, and Aruba to improve the "inhumane" conditions in Curaçao's Koraal Specht prison and in cell blocks on the islands of St. Maarten, Bonaire, and Aruba, where it criticized prison conditions including overcrowding, poor sanitary conditions, poor food, and poor ventilation. The CPT also criticized widespread corruption and mistreatment of prisoners by guards at Koraal Specht. The Dutch government has repeatedly offered to help the Netherlands Antilles build a new juvenile wing, a maximum security facility, and other improvements at Koraal Specht, where conditions have improved. The CPT has been invited to visit again to witness the improvement. The governments of the Netherlands Antilles and Aruba allow access by private human rights organizations to prisons.

The Netherlands has an independent court system, which provides citizens with a fair and efficient judicial process. The judicial system is based on the Napoleonic Code. A system of cantonal, district, and appellate courts handles both criminal and civil cases. The Supreme Court is the highest appellate court. In criminal trials, the defendant enjoys a presumption of innocence and the right to public trial, to counsel (virtually free for the poor), and to appeal.

The Netherlands prohibits arbitrary interference with privacy, family, home, or correspondence. The Dutch enjoy freedoms of speech and of the press, academic freedom, freedoms of peaceful assembly and association, and freedoms of religion. Religious organizations that maintain schools receive government subsidies. The Netherlands provides freedom of movement within the country, foreign travel, emigration, and repatriation.

The Netherlands cooperates with humanitarian organizations in assisting

refugees. The Netherlands does not provide first asylum as such, but most asylum seekers may apply for resident status. Some whose applications eventually are denied are permitted to stay temporarily on humanitarian grounds, or as long as their country of origin is considered unsafe.

In recent years, new legislation has aimed to protect most political refugees but excludes economic refugees and illegal immigrants. More stringent criteria for granting asylum decreased the number of new asylum seekers from 52,576 in 1994 to 22,857 in 1996. However, the number rose to over 40,000 in 1998 because of even stricter laws in other European countries. The focus has recently shifted to helping rejected asylum seekers return home through financial incentives, job training, and assistance with reintegration projects in their countries of origin. To this end, the Netherlands has concluded bilateral agreements with Ethiopia and Somalia.

Human rights groups operate freely, investigating and publishing their findings. Government officials help rather than hinder their efforts.

There are no restrictions on the participation of women and minorities in politics. Over a third of the 150 members of the Second Chamber of Parliament are women, as are four of the fifteen cabinet ministers. The Netherlands actively promotes the participation of women in politics and government administration. Women also hold positions in the Parliaments and cabinets of the Netherlands Antilles and Aruba.

About 211,000 women are victims of violence by their partners each year. Such violence against women costs the Netherlands about $175 million per year in hospitalization and absenteeism.

The Netherlands is trying to prevent violence against women. Battered women find refuge in government-supported women's shelters staffed by social workers and psychologists. Those who leave their domestic partners become eligible for benefits, including an adequate subsidy and allowances for dependent children. Private organizations also help victims of sexual assault. Since 1991, marital rape has carried the same penalty as non-marital rape. Spousal abuse carries a higher penalty than ordinary battery.

Prostitution is legal, and about 30,000 women work as prostitutes, some 10 percent of them forced or in degrading circumstances. The government is combating trafficking in women by using more aggressive prosecution and better international cooperation. The Dutch Foundation Against Trafficking in Women estimates that 1,500 to 2,000 women and girls a year are brought into the Netherlands for prostitution from elsewhere in Europe, the Far East, and Africa.

More women are entering the job market, but traditional cultural factors and inadequate child-care discourage many women—especially those with young children—from working. In 1983, only 38 percent of women between the ages of fifteen and sixty-four held paid jobs, compared with almost 47 percent now. Women often are employed at levels below their skills and training, and have less chance of promotion than men.

According to the Education Ministry, women have gained equality in education. Women are now the majority attending higher secondary education, and in 1996, for the first time, as many women as men entered colleges and universities.

In 1988, the Netherlands started affirmative action programs for women. Collective labor agreements usually include provisions to strengthen the position of

women. Labor laws require equal pay for equal work, prohibit dismissal because of marriage, pregnancy, or motherhood, and provide for equality in other areas. The Equal Treatment Commission investigates complaints of discrimination in these areas.

Women's groups deal with equal rights in social security, the legal position of women, sexual abuse, taxation, education, work, and prostitution. Employers must protect workers against sexual harassment, which one in three working women has experienced in the work place. The Netherlands funds a campaign to increase awareness of the problem and is working to counter harassment among civil servants.

The Netherlands nurtures children through many well-funded health, education, and public information programs. The Council for the Protection of Children, in the Ministry of Justice, enforces child support orders, investigates child abuse, and recommends remedies. The government has a hotline for children and pediatricians that tracks suspected child abuse.

The minimum age for employment is sixteen years. To work full-time, a sixteen-year-old must have completed the mandatory ten years of schooling. Those still in school at age sixteen may not work more than eight hours per week. People under eighteen cannot work at night, work overtime, or work in areas dangerous to their well-being.

There is no discrimination against disabled persons in employment, in education, or in the provision of state services. Local governments are in the process of providing access to public buildings for the disabled.

The integration of racial and ethnic minorities into the mainstream remains a difficult problem. The Netherlands campaigns for more public awareness of racism and discrimination. Discrimination on the basis of race and nationality is illegal, and those who have been discriminated against can take offenders to court under civil law.

Immigrants face discrimination in housing and employment and suffer from high unemployment. The Netherlands has been working with employers' groups and unions to reduce minority unemployment levels to the national average. As a result, ethnic minorities have been finding jobs faster than the general population, but unemployment among ethnic minorities is still about three times higher than for the native population.

The rights to organize and bargain collectively are recognized and well established. Discrimination against workers because of union membership is illegal and does not occur. All workers have the right to strike, except for most civil servants, who have other means of protection and redress. Industrial relations are very harmonious, and strikes are infrequent. There is no retribution against striking workers.

Working conditions, including occupational safety and health standards, are monitored actively by the Labor Commission. Workers may refuse to work at a hazardous worksite.

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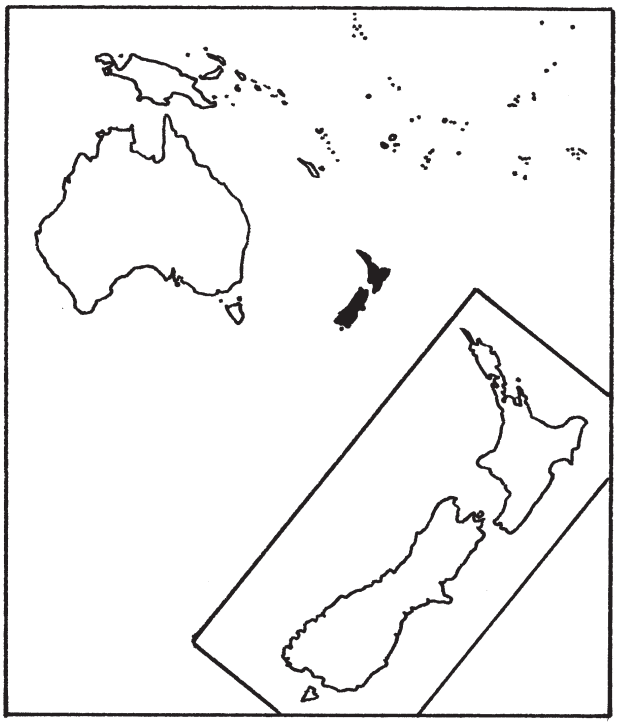
New Zealand



The dominion of New Zealand is a country in the southwest Pacific comprising two major islands—the North Island and South Island—and several minor islands. Wellington is the capital city. The population of about 3.6 million is composed mostly of people of European ancestry (88 percent) with a large Maori minority (9 percent). In addition, other Polynesian minorities and Asians account for the rest of the population. English and Maori are the main languages spoken. The major religious denominations are Anglican (22 percent), Presbyterian (16 percent), and Roman Catholic (15 percent).

A British colony, New Zealand was declared a dominion by royal proclamation in 1907. In 1947, it received full internal and external autonomy.

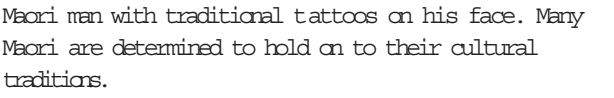
New Zealand is a parliamentary democracy, but there is no written constitution. Queen Elizabeth II is the head of state, represented by a governor general. The prime minister and the cabinet share the executive power together with the governor general. The unicameral House of Representatives holds the legislative power. The judiciary is independent.

The economy of New Zealand is moving toward industrialization and free markets. Exports include wool, meat, and dairy products. The manufacturing sector is mostly based on food processing, metal fabrication, and wood and paper products. Tourism is also an important source of income. In addition, the technology sector is developing quickly. In general, most citizens of New Zealand enjoy a comfortable standard of living.

HUMAN RIGHTS

The government respects the human rights of its citizens, and the law and the judiciary enforce these rights in practice. However, there have been reports about poor prison conditions. Although they meet minimum international standards, human rights monitors have reported overcrowding and inadequate sanitation in some old facilities. In addition, there were reports of suicides among Maori inmates. Measures have been implemented to reduce these events.

The government grants asylum to 750 refugees per year and generally cooperates with the United Nations High Commissioner for Refugees in assisting refugees.



Maori man with traditional tattoos on his face. Many Maori are determined to hold on to their cultural traditions.

Violence against women is a serious problem, especially among Maori and Pacific Islanders. The law severely punishes spousal rape; however, most cases go unreported. In addition, only 10 to 15 percent of the reported cases end in conviction. The government also provides support to victims of abuse by funding women's shelters, rape crisis centers, sexual abuse counseling, family violence networks, and violence prevention services.

Ethnic friction is a major problem in New Zealand. The Maori minority suffers disproportionately from unemployment, arrests, and police brutality. Discrimination in employment is illegal, but nevertheless widespread. The government has inaugurated a number of programs to improve the position of Maori in New Zealand, but many human rights observers, as well as Maori activists, believe that the government is not moving fast enough.

Although the law prohibits discrimination based on sex, women continue to face discrimination in employment and salary.

The law protects children's rights, and numerous health care and educational programs are available for children. The government has also forbidden female genital mutilation, which is practiced among some immigrants from Sudan, Somalia, and Ethiopia.

The Disabled Persons Community Welfare Act mandates for state services and necessary protection against discrimination in employment and education.

Local and international human rights groups freely operate within the country. Government officials have been reported to be responsive to allegations of human rights violations.

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Nicaragua

The Republic of Nicaragua is located in Central America, between the Caribbean Sea and the Pacific Ocean. It has borders with Costa Rica and Honduras. Managua is the capital city. Its population, which was estimated at 4.7 million in 1999, is composed of Mestizos—mixed European and indigenous—(69 percent), whites (17 percent), blacks (9 percent), and Amerindians (5 percent). Roman Catholicism is the predominant religion, and Protestantism is practiced by a minority (5 percent). Spanish is the official language, although English and some indigenous languages are spoken on the Caribbean coast.

BACKGROUND

Nicaragua is a constitutional democracy. The government is made up of four parts: an executive branch, consisting of the president and vice president; a legislative branch, made up of the National Assembly; a judicial branch, which includes the Supreme Court, subordinate appeals, district and local courts, and separate labor and administrative tribunals; and an electoral branch, the Supreme Electoral Council. The 1995 reforms to the 1987 Sandinista constitution provide for a more even distribution of power among the four governmental branches.

The name Nicaragua originates from Nicarao, chief of the indigenous tribe that used to live around present-day Lake Nicaragua. The first Spanish permanent settlements in the region were established in 1524 by Hernandez de Cordoba. Nicaragua eventually achieved independence from Spain in 1821. In 1909, the United States provided political support for the Conservative Party forces rebelling against President Zelaya and maintained troops in Nicaragua from 1912 until 1933. From 1927 until 1933, U.S. marines engaged in a battle against rebel forces led by renegade Liberal general Augusto Sandino, who rejected the 1927 agreement to end the fight between liberals and conservatives. After U.S. troops left the country, National Guard Commander Anastasio Somoza Debayle took over the presidency in 1936. The Somoza dynasty, which always maintained close ties with the United States, ended in 1979 upon a massive uprising led by the Sandinista National Liberation Front (FSLN).

The FSLN, which since the early 1960s had conducted a guerrilla war against Somoza, established an authoritarian dicta-

Contras with anti-aircraft gun along the Costa Rican border. A boy helps hold an ammunition roll, 1985.

torship soon after taking power. A civil war formally concluded in 1990 with the demobilization of the Nicaraguan Resistance (RN or "Contras"), who had been supported by the United States. The Sandinista regime entered into negotiations with the RN and agreed to nationwide elections in February 1990. Violeta Barrios de Chamorro, the candidate of the National Opposition Union, was elected president. Her seven-year government achieved major progress toward consolidating democratic institutions. She also established the Tripartite Commission in 1992.

Nicaragua is primarily an agricultural country. Traditionally, its economy has been based on production for export of coffee, meat, sugar, *maquila* goods (apparel), bananas, gold, seafood, and it now includes new agricultural products such as sesame, melons, and onions. Construction, mining, fisheries, and general commerce have expanded during the last few years. Nicaragua is the second poorest nation in the Western hemisphere. It suffers from high unemployment rates, as well as from persistent trade and budget deficits and a high debt-service burden. After the twelve years of the Sandinista regime ended, Nicaragua pursued a number of impressive economic reforms, including the privatization of 351 state enterprises, the reduction of inflation, and the halving of its foreign debt. However, economic expansion came to a halt in 1998, when Hurricane Mitch hit the country.

Nicaragua is a member of the United Nations (UN), as well as of several specialized and related agencies, including the World Bank, the International Monetary Fund (IMF), and the UN Human Rights Commission (UNHRC). Nicaragua is also a member of the Organization of American States (OAS), the Non-aligned Movement (NAM), and the Central American Common Market (CACM).

HUMAN RIGHTS

Although the government generally respects the human rights of its citizens, serious problems remain in several areas.

Extrajudicial killings committed by some members of the security forces against suspects are very common, especially in rural areas. Although the law prohibits the use of torture, police routinely beat and otherwise abuse detainees, often to obtain confessions. Prison conditions are very harsh. Prison facilities are usually overcrowded and underfunded. Medical attention is nearly non-existent and malnutrition is common. Ill prisoners convicted of lesser offenses are frequently released because of a lack of available medical care. Similarly, detainees are occasionally released when the authorities can no longer feed them. Prisons and police holding cells are dark, poorly ventilated, and unhygienic. Youths are regularly detained in the same prisons as adults, due to a lack of juvenile detention centers.

Despite the Police Functions Law requiring that police obtain a warrant prior to detaining a suspect, security forces regularly arrest and detain citizens without warrants. Detainees usually do not have the right to an attorney until they have been charged formally with a crime. Further, long delays in trials and lengthy pretrial detention represent a serious problem. The judiciary suffers from a large case backlog, and many prisoners spend more than a year in jail without a trial.

According to the constitution, the judiciary is independent. However, it is often subject to political influence. Judicial actions are routinely influenced by judges' political sympathies or the acceptance of bribes. Besides corruption, the inefficiency of the judiciary is also caused by its arcane legal codes, as well as by judges' and lawyers' lack of sufficient training and education. Every year, indigent defendants go to trial without an attorney to represent them or are forced to turn to a law student for their legal assistance. Many prisoners are forced to remain in prison after their release date, as a consequence of the poor administrative coordination between judges and the penal system.

The constitution prohibits discrimination based on birth, nationality, political belief, race, gender, language, religion, opinion, national origin, economic condition, or social condition. In practice, the government makes no effort to respect this prohibition. In particular, violence against women and children, including domestic abuse and rape, represents a serious problem. Domestic and sexual violence against women is widespread and underreported. Victims often refuse to press charges, and many women are reluctant to report sexual abuse due to social stigmas attached to victims of rape. The most prevalent form of discrimination against women is lower pay for similar work. Women are underrepresented in management positions in the private sector, whereas they constitute the majority of the workforce in the traditionally low-paid education, textile, and health service sectors.

Children are regularly involved in crime, both as victims and as perpetrators. The participation of children in street gangs is very common. A disproportionate number of chil-

dren under seventeen work, including those employed in rural activities, especially during the annual harvests. Many are forced by their parents to work in the streets of Managua as vendors or beggars. Child prostitution also represents a serious problem.

A number of human rights groups operate without government interference. Major organizations include the Permanent Commission for Human Rights, the Nicaraguan Association for Human Rights, and the Nicaraguan Center for Human Rights.

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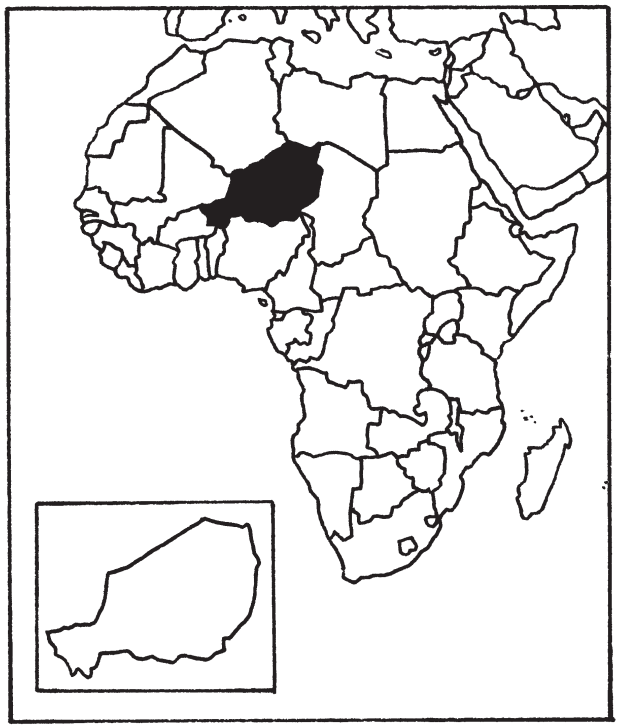
Niger



The Republic of Niger is situated in western Africa, southeast of Algeria. Niamey is the capital city. Niger's population of approximately 10 million is composed mostly of Hausa (56 percent) and Djerma-Songhai (22 percent). Both ethnic groups are sedentary farmers living in the arable southern regions. The remainder of Niger's people are nomadic or semi-nomadic, including Tuareg, Kanouri, and Toubou. The majority of the population is Muslim, although Christianity and traditional beliefs are practiced as well. French is the official language.

Niger is a very poor nation whose economy centers on subsistence agriculture, animal husbandry, informal markets, and some trading of uranium—its major export since the 1970s. However, drought, soil degradation, burdensome debt, and low literacy leads the country to rely heavily on foreign assistance. In addition, years of political instability have further compromised the already troubled economy.

A French colony, Niger achieved independence in 1960. A single-party civilian regime ruled the country for the next fourteen years. It was not until 1991 that new political parties and civic associations were formed that urged the promulgation of a new constitution and free elections. In April 1993, the Niger Third Republic was created. However, in 1996 a military coup took place, led by Ibrahim Bare Mainassara, who became president and whose regime was responsible for many human rights violations, including arbitrary arrests and torture. These violations also challenged the freedoms of expression and association which had been allowed with the advent of the Third Republic and the institution of a multiparty state.

In April 1999, Ibrahim Bare Mainassara and four other individuals were assassinated by members of the presidential guard. Fourteen military officers took power, setting up the National Reconciliation Council (CRN). All state institutions, including Parliament and the Supreme Court, were dissolved along with the abrogation of the constitution adopted by referendum in 1996. On July 18, 1999, citizens voted in a popular referendum and approved a new constitution. In November, Tandja Mamadou was elected president and the National Assembly was elected again.

The human rights record remains poor. During the previous three years, the security forces committed a number of human rights violations, including arrest and tor-

Impoverished young children playing next to open sewer.

ture of political opponents. Official reports confirmed the presence of a grave containing 150 bodies of individuals who had supported an armed rebellion that took place in the east of the country.

Freedoms of the press and media, freedoms of association and assembly, and freedom of movement were not respected by the Bare government, but attempts to respect these practices have begun by the new president.

Prison conditions remain harsh, with overcrowding, inadequate diet, health, and sanitary conditions being the most rampant problems.

Societal discrimination against women and ethnic minorities continue to be serious problems. Violence against women, including spousal abuse and female genital mutilation, is widespread. Children's welfare is neglected due to limited financial resources.

Amnesty International and other local and international human rights organizations have strongly called for an investigation of the perpetrators of human rights violations, including deliberate political killings, which occurred during the coups of January 1996 and April 1999. However, the culture of impunity that has characterized Niger for years has resulted in the granting of amnesty to those responsible for those acts by the Niger authorities.

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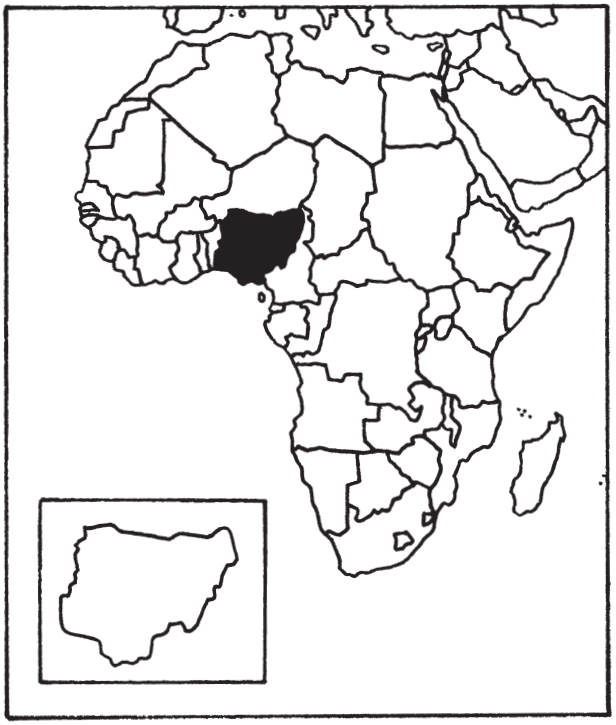
Nigeria



Nigeria is a country in western Africa, bordering the Gulf of Guinea, between Benin and Cameroon. Abuja is the capital city. Nigeria has a population of approximately of 114 million. Ethnic groups include Hausa, Fulani, Yoruba, Ibo, Ijaw, Kanuri, Ibibio, and Tiv. About 50 percent of the population is Muslim, and the remainder is Christian (40 percent) or practices indigenous beliefs (10 percent). English is the official language.

BACKGROUND

Nigeria has many natural resources, which include petroleum, tin, columbite, iron ore, coal, limestone, lead, zinc, and natural gas. The economy is based mostly on the oil sector but this overdependence, coupled with political instability, corruption, and poor macroeconomic management, has limited economic growth and foreign investment. The largely subsistence agricultural sector has failed to keep up with rapid population growth, droughts, soil degradation, and desertification. About 35 percent of the population live below the poverty level. Per capita annual gross domestic product is estimated at $960.

An English colony, Nigeria achieved independence in 1960. Instability and a succession of military coups until recently have characterized the country's history. In 1998, the government of Nigeria went from a dictatorship to a transitional military regime, as part of the process of implementing a democratic civilian government which occured in the first half of 1999.

General Sani Abacha, who committed serious human rights violations, died in June 1998 and was succeeded by General Abdulsalami Abubakar, who although maintaining a military dictatorship under the Provisional Ruling Council, implemented a program of restoration of a democratic federal state. In December 1998, elections were held for local government officials. Although marred by irregularities and violence, local and international observers considered the elections to be generally free and fair. Presidential and parliamentary elections were held in February 1999. Olusegun Obasanjo was elected president. The legal system is based on English common law, Islamic law, and tribal law. The constitution provides for the independence of the judiciary.

HUMAN RIGHTS

The government's extremely poor record on human rights has been improving in several areas under General Abubakar's regime. Under Abubakar, the right of citizens to change their government was restored by scheduling presidential elections in February 1999. The government took steps to cease the use of violence, lethal force, and extortion by the security forces at checkpoints and roadblocks. In addition, provisions were implemented to suppress extrajudicial killings, along with ending the mistreatment of civilians, demonstrators, and political activists commonly perpetrated during the Abacha regime. In addition, arbitrary arrest and detention became less frequent. Reports on torture and beatings of detainees under custody were reduced dramatically. The military tribunal was replaced by a civilian judicial system. However, the latter remains corrupt, understaffed, and underfunded.

Prison conditions continue to remain poor, although overcrowding is less severe. Thousands of prisoners have been released, including political detainees.

Abubakar also ended the Abacha regime's suppression of freedoms of speech and the press, and the government has been increasingly respecting these rights in practice. The government continues to control state-owned media; however, journalists and editors can exercise a greater measure of freedom. Radio remains the most important means of mass communication and information, because of limited literacy and the high cost of newspapers and television. The government does not restrict access to either international satellite television or the Internet, although the latter is limited in practice by Nigeria's poor telephone service.

The government generally respects freedoms of assembly and association. However, it has retained the legal provision that bans gatherings whose political, ethnic, or religious content might cause unrest. In addition, due to religious tensions in various parts of the country, open-air religious services are prohibited in most federal states. In this regard, religious differences often correspond to regional and ethnic differences. The large Hausa and Fulani ethnic groups in the northern region are mostly Muslim, whereas many southern ethnic groups are Christian.

Societal discrimination continues to be practiced by members of all ethnic groups. In particular, pressure on individual government officials by members of regionally predominant ethnic groups reinforces a climate of ethnic favoritism throughout the country. This discrimination is particularly reflected in hiring patterns, in ethnic segregation of urban neighborhoods, and in the lack of marriages across major ethnic groups.

Discrimination and violence against women remain serious problems. Customary and religious practices hamper equality for women in education, employment, salary, and property rights. Domestic violence and spousal abuse are common, especially in polygamous families, and often go unreported. Police rarely intervene in domestic disputes. The Penal Code permits husbands to physically punish their wives, as long as it does not result in life-endangering injuries.

Female genital mutilation is still practiced extensively in all parts of the country. No legal action has been taken yet to stop this practice.

Although increased commitment has been shown by the authorities with regard to children's welfare, little action has been taken to implement this commitment. Child abuse and neglect, child prostitution, and

child labor are still common throughout the country. Constitutional provisions for compulsory primary education are not enforced. Education is unavailable to many children because of a lack of funding. The use of children as domestic servants is common. In addition, there were credible reports of poor families selling young daughters into marriage to supplement their income.

Freedom of movement within the country and abroad is not restricted, although the law requires women to obtain permission from a male family member before getting a passport. The government cooperates with the United Nations High Commissioner for Refugees in assisting refugees and asylum seekers.

The government also permits local and international human rights groups, such as the International Committee of the Red Cross, to operate without restriction and to publish their findings. Since the Abubakar regime, there have been no reports of harassment of members of local human rights organizations. Representatives of United Nations Human Rights Commission have resumed their regular visits to Nigeria. In June 1999, the government established a panel to review cases of human rights violations since 1960. They received about 11,000 petitions for redress.

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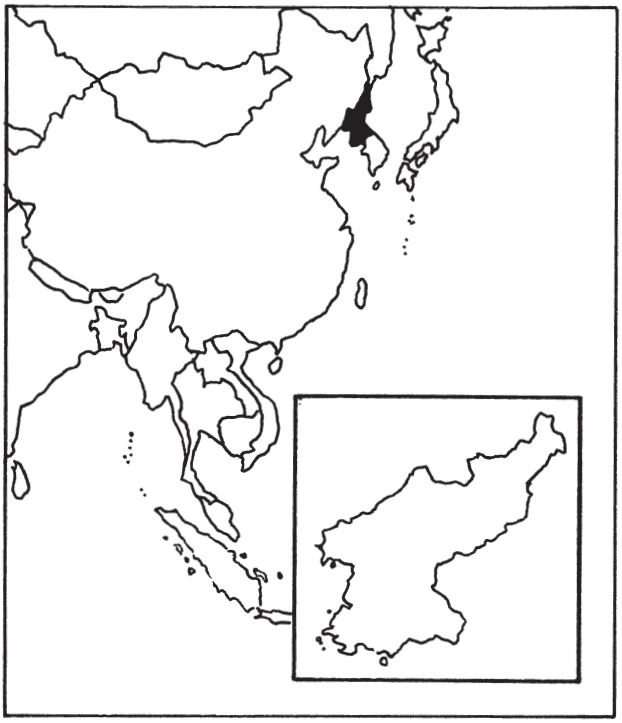
North Korea



The Democratic People's Republic of Korea is a country in eastern Asia, comprising the northern half of the Korean Peninsula, with borders on the Korea Bay and the Sea of Japan, between China and South Korea. P'yongyang is the capital city. North Korea's population of approximately 21.4 million is racially homogeneous, with a small Chinese community and a few ethnic Japanese. Korean is the official language. Buddhism and Confucianism are the major religious denominations. Since 1945, the communist government has made sure that autonomous religious activities have been almost non-existent.

BACKGROUND

Throughout most of its history, Korea has been invaded and fought over by its neighbors. In 1910, Japan annexed Korea as part of the Japanese Empire. Korea was liberated in 1945, at the end of World War II, leaving the United States administering in the southern half of the peninsula and the Soviet Union controlling the areas north of the 38th parallel. This division was meant to be temporary. However, initial hopes for a unified and independent nation vanished in 1948, after the United Nations (UN) unsuccessfully proposed nationwide elections. As a result, two separate nations were established; the Republic of Korea in the south, and the Democratic People's Republic in the north.

In 1950, the communist North Korean forces invaded South Korea. U.S and UN forces intervened to defend the south, while China and the Soviet Union supported the north. An armistice was signed in 1953. It was not until 1990 that North Korea demonstrated a genuine effort to improve its relations with South Korea and the rest of the world. In 1991, North Korea became a member of the UN and signed an agreement of non-aggression with South Korea. A year later, North Korea signed the Nuclear Safeguards Agreement, allowing international inspections of its nuclear facilities. North Korea remains, however, a somewhat paranoid state. Despite growing economic hardships, North Korea continues to devote a significant portion of its scarce resources to the military, and it currently has the fourth largest army in the world.

North Korea is a highly centralized communist state controlled by the Korean Workers' Party (KWP). Kim Jong Il, who succeeded his father, Kim Il Sung, after his death in 1994, holds supreme power.

The regime justifies its dictatorship with *juche*, a mystical concept in which the collective will of the people is projected into a supreme leader, who incarnates the state's and the society's needs. Opposition to such a leader, or to the rules, regulations, and goals established by his regime, represents an act of opposition to the national interest. The regime therefore claims a social interest in identifying and repressing all opposition.

Little is known about the actual lines of power and authority exercised by the government. The legislature, the Supreme People's Assembly, is officially the highest organ of state power. In reality, it serves just to ratify the decisions made by the KWP. The judiciary is not independent. Judges are elected by the Supreme People's Assembly.

The Korean People's Army is responsible for external security with the assistance of a large military reserve force and quasi-military organizations. The latter also serve the Ministry of Public Security and the KWP in maintaining internal security.

North Korea is a member of a variety of multilateral organizations. Despite its past reliance on military and economic assistance from the Soviet Union and the Eastern bloc, North Korea has chosen to maintain a position of non-alignment and an independent stance in its foreign policy.

The economy of North Korea has the greatest degree of central planning in the world. Since the collapse of the Soviet bloc and the elimination of Soviet and Chinese aid, the economy has been declining. Along with the inability to access international credit, North Korea's aging industrial facilities and lack of maintenance and new investments have hurt the economy. In addition, famine and disease have cost the lives of thousands of people. Food, clothing, and energy continue to be rationed throughout the country, and the government relies heavily on international aid. Nevertheless, heavy industry and the military sector continue to absorb a significant portion of the gross national product, at the expense of light and consumer industries.

HUMAN RIGHTS

Korea does not allow representatives of foreign governments, journalists, or other invited visitors the freedom to ascertain human rights conditions. However, reliable sources confirm that human rights continue to be seriously violated. The state leadership perceives most international norms of human rights, and especially individual rights, as subversive social concepts that undermine the goals of the state and the communist KWP. North Korea, therefore, is one of the world's most repressive states.

Citizens do not have the right to change their government. Free elections do not exist, and Kim Jong Il has criticized the concept of free elections and competition among political parties as an artifact of capitalism. In July 1998, elections for the Supreme People's Assembly were held with 100 percent of the candidates approved by the KWP.

The regime continues to commit extrajudicial killings and executions of political opponents, prisoners, repatriated defectors, and military officers suspected of espionage or plotting against Kim Jong Il.

The Penal Code establishes a mandatory death penalty for "crimes against the revolution," which include defection, attempted defection, slander of the policies of the party or state, economic offenses and other ill-defined crimes, listening to foreign broadcasts, writing "reactionary" letters, and possessing reactionary printed matter.

There were reports of public executions carried out in front of workers, students, and schoolchildren.

The government is also responsible for many disappearances, particularly those of political opponents, including foreign nationals living abroad. Japanese, South Koreans, and ethnic Koreans living outside North Korea were reportedly kidnapped and are being detained in North Korea, possibly in concentration camps. Credible reports indicate that ordinary citizens are not allowed to mix with foreign nationals, and that a number of North Koreans who maintained friendships with foreigners have disappeared.

The government uses arbitrary arrests without restriction and detains people without the benefit of contact with people outside of prison.

According to defector sources, North Korea detains between 150,000 to 200,000 persons for political reasons, sometimes along with their family members, in maximum security camps in remote areas.

Prison conditions are harsh and life-threatening. There were reports of two types of detention camps. One consists of closed camps where conditions are extremely harsh and in which prisoners never survive. In the second, prisoners can be "rehabilitated" through hard labor. Starvation and executions, along with mistreatment and torture, appear to be common.

Although the constitution provides for an independent judiciary and the safeguarding of the right to due process, the regime controls every aspect of the judicial system.

Citizens are subject to rigid control and indoctrination by the regime. The government uses an extensive system of informers to identify potential opponents or critics of the regime. Whole communities are sometimes subjected to massive security checks and inspections. The possession of "reactionary material" and listening to foreign broadcasts are both considered punishable crimes. Entire families may be punished for political offenses committed by one member of the family. Families must display pictures of the two Kims in their homes and must keep the photos clean.

Correspondence and telephone usage are highly monitored. International telephone services are restricted. Although freedom of speech and freedom of the press are provided by the constitution, in practice the regime completely limits these rights. Domestic media are subject to censorship. The press and the broadcast media may only express views in support of the regime. Foreign publications and broadcasts are banned. Foreign journalists are allowed in the country, although their activities are closely monitored.

The government restricts academic freedom and controls all academic work.

The government prohibits any peaceful assembly or meeting except those authorized by the government. In addition, associations exist only to help the government control their members. Non-governmental labor unions do not exist. Strikes are prohibited. The General Federation of Trade Unions of Korea, which is affiliated with the formerly Soviet-controlled World Federation of Trade Unions, functions according to the classic "Stalinist model," by mobilizing workers behind production goals and providing health, education, cultural, and welfare facilities.

All organized religious activities are discouraged, except those that support the state's interests.

Women are represented proportionally in the labor force. However, they are underrepresented at the high levels of the party and in government.

The state encourages family-centered values and the welfare of children. However, children may be punished as a result of their parents' disloyalty to the regime. Children are subjected to early indoctrination and mandatory military training. The government occasionally employs forced labor by children in special projects. Malnutrition among children is a serious problem, and the international community is feeding nearly all North Korean children under the age of seven. There are reports that orphaned and homeless children are kept in camps under inhumane conditions.

The regime supports societal discrimination against people with disabilities, including children, who are denied access to health care and other services. They are routinely taken away from urban areas and relocated to other areas.

Workers have limited rights. The state assigns all jobs and uses the criteria of ideological purity in deciding who receives a particular job. Wages are set by the government and support workers' families at only a subsistence level. Citizens must comply with labor discipline and working hours. Those who intentionally fail to carry out a specific assignment may be punished with the death penalty.

The government controls internal travel and the movement of citizens. The regime does not allow emigration and limits foreign travel to officials and trusted artists, athletes, academics, and religious figures.

Although North Korea is a member of the UN, it does not participate in international refugee forums.

In recent years, there has been an increase in North Korean defectors arriving in China, Hong Kong, Vietnam, and other Asian countries. The regime reportedly takes action against the relatives of those who manage to escape. Seeking political asylum is considered a capital crime. There were reports of involuntarily returned defectors who subsequently have been executed.

The government continues to deny requests made by overseas Korean residents of North America, Japan, China, and other countries to visit their relatives in North Korea. The government prohibits any independent domestic organization from monitoring or commenting on human rights violations. The North Korean Human Rights Committee established in 1992 denies the existence of any human rights violations in North Korea.

In 1996, a delegation from Amnesty International was allowed to visit the country, although they were allowed to see very little, and no visiting was allowed without supervision.

In April 1998, during the fifty-forth meeting of the UN Commission on Human Rights, the North Korean delegation accused the international community of slandering North Korea's human rights record. The government has ignored requests for visits by other international human rights organizations.

In September 1998, the aid agency Doctors Without Borders (Médecins sans Frontières) announced its withdrawal from the country and criticized the regime of North Korea for denying access to needy parts of the population and for its lack of accountability in delivering humanitarian aid.

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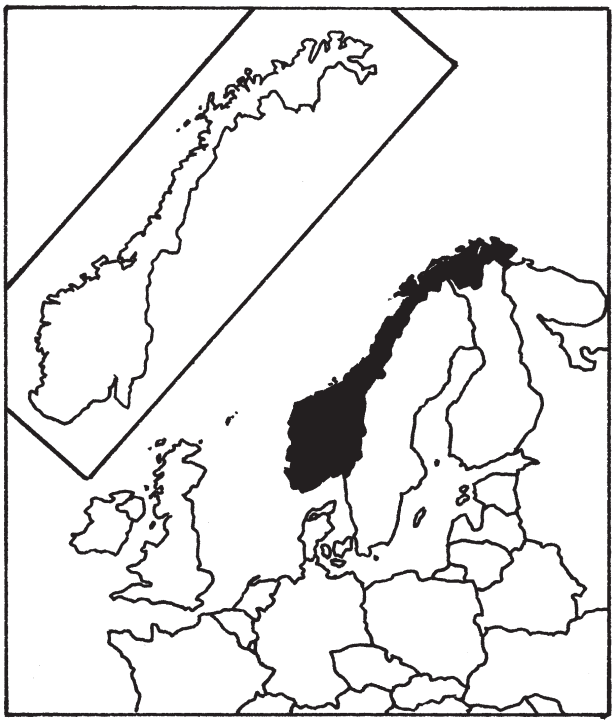
Norway



The Kingdom of Norway is situated in northwest Europe, on the Scandinavian Peninsula, bounded on the east by Sweden, on the northeast by Finland and Russia, on the south by the North Sea, and on the west by the Atlantic Ocean. Oslo is the capital city. The population of approximately 4.4 million is largely made up of Norwegians. However, in recent years, Norway increasingly has become home to a number of immigrants, foreign workers, and asylum seekers coming from various part of the world. In addition to immigrants, the Lapps constitute a cultural minority (about 20,000 people) living in the far north. The official language is Norwegian, but Lapp, also called Sami, is also spoken in the northern areas. The Evangelical Lutheran Church is the state church, although freedom of religion is practiced.

Once part of the Danish Kingdom, after the Napoleonic wars Norway was unified with Sweden. In 1905, Norway achieved independence.

After World War II, Norway became active in promoting peace and it was one of the founding members of the North Atlantic Pact and of the United Nations. In addition, the Norwegian Parliament is responsible for electing the five members of the Nobel Committee that award the Nobel Prize each year to champions of peace.

The Kingdom of Norway is a constitutional monarchy. King Harald V is the head of state. The prime minister and the State Council are invested with the executive power. The legislative power is represented by the unicameral Parliament. The constitution provides for the independence of the judiciary.

The Kingdom of Norway has an advanced economy. Oil, gas, metal, shipbuilding, and manufacturing comprise the major parts of the economy. In general, Norwegians have a high standard of living.

The constitution provides the citizens with all their fundamental human rights, and the government respects them in practice. The judiciary system is highly effective and deals promptly with violations of the law. Prison conditions meet minimum international standards, and visits by international human rights monitors are not restricted.

The government cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in providing assistance to asylum seekers. In 1998, the government granted asylum to 1,214 refugees. Moreover, 1,813 persons received residency permits on humanitarian grounds.

Lapp shelters near Hammerfest, Norway.

Women are very active in Norwegian political life. Of the 165 members of the Parliament, 60 are women. However, violence against women is widespread. In 1997, there were 30,000 distress calls made by women to national assistance centers throughout the country. The police efficiently investigate most alleged cases and prosecute the perpetrators of rapes and other abuses. Counseling programs for battered women are funded by the government, and many public and private shelters are available throughout the country. In addition, the 1978 Equal Rights Law protects women against any form of discrimination. The Equal Rights Council has been instituted to enforce this law in practice.

The government is also very committed to children's welfare, and provides free education and health care. However, violence against children is a serious problem.

The government generally enforces constitutional provisions regarding the disabled and their accessibility to public buildings.

The government cooperates with several local and international human rights organizations. In 1997, the government appointed a minister of development, cooperation and human rights with the purpose of promoting human rights policies within the country.

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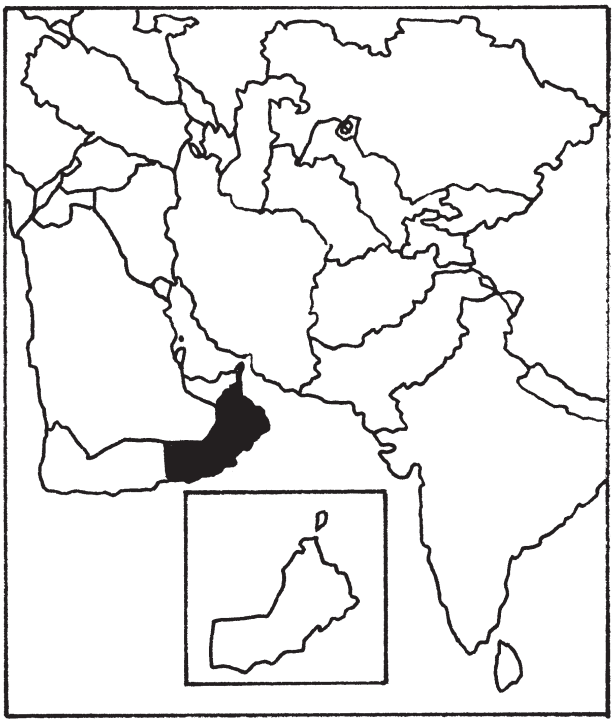
Oman



The Sultanate of Oman is an Arab nation situated at the southeastern corner of the Arabian peninsula. Its population is approximately 2.5 million. A long period of domination by other powers, including Portugal in the sixteenth and seventeenth centuries, ended with the ouster of the Persians in 1744. Oman joined the United Nations in 1971. The official language is Arabic and the state religion is Islam. Approximately 85 percent of the population is Muslim (75 percent Sunni; 10 percent Shi'a). There are also a significant number of ethnic Indians who practice Hinduism.

A monarchy, Oman has been ruled by the Al Bu Sa'id family for over 200 years. The current sultan is Qaboos bin Sa'id Al Sa'id. There are no democratic institutions in Oman; the sultan rules as a near-absolute monarch. The sultan has established a Consultative Council (equivalent to a lower house) and a Council of State (equivalent to an upper house), but the members of both bodies are chosen by the sultan.

HUMAN RIGHTS

The human rights situation in Oman is not good. The people do not have the right to choose their own government, and the government often behaves in an arbitrary manner. However, there has been some improvement in recent years. In 1996, for example, the sultan issued a decree, the "Basic Charter," which put into writing the rights shared by all Omani citizens. The Basic Charter protects such rights as freedoms of speech and the press.

Police generally obey the laws, but abuse of human rights is common. Police officers sometimes beat prisoners in an attempt to gain confessions or simply to obtain information. The police sometimes keep prisoners for extended periods of time, preventing visits by family and attorneys.

The judiciary generally protects the right to a fair trial within the traditions of Islamic law. Defendants have no guaranteed right to defense counsel, and poor defendants must rely on the presiding judge for legal assistance and advice. Prisons are believed to treat prisoners within the limits required by human rights, but human rights groups are not allowed to visit to determine whether or not this is true.

The government is believed to violate the right to privacy and to use electronic means to listen to private phone conversations. The police do not need search warrants to search a suspect's home.

Although the newly granted Basic Charter protects the rights of freedom of speech and freedom of the press, criticism of the sultan is prohibited. Criticism of government officials is allowed but rare. Journalists generally practice self-censorship to avoid government harassment or legal action. Foreign journals are allowed but are occasionally censored. Television and radio stations in Oman are controlled by the government. Academic freedom is not protected.

The rights to freely assemble and protest are not protected. Public gatherings must have government approval, and the police sometimes break up unauthorized gatherings.

Religious freedom is limited in Oman. Although Islam is the official religion, Christians, Hindus, and others are allowed to worship at set locations, but they are forbidden from trying to convert Muslims.

Ethnic discrimination occurs in Oman. Citizens of East African background claim that discrimination in employment is a problem. Foreign workers also face discrimination and abusive treatment from their employers.

Discrimination against women is common. Women do not have equal opportunity in employment or in government. Societal pressures keep most women in the home. Harassment of women, particularly foreign workers, is common. The government has done little to stop such harassment. Spousal abuse also occurs. Women have many legal restrictions on their freedom and financial rights. Women cannot leave the country without receiving permission from a male relative. In some areas, the condition of women has improved. The sultan has appointed some women to government posts, and many more women are receiving an education than in the past.

Foreign workers, particularly women, are believed to be victims of human rights abuses. Foreign women employed as domestic servants have complained of sexual harassment by employers and coworkers. These women—isolated in a foreign country and often fearful of losing their jobs—are especially vulnerable to human rights abuses. Domestic and garment workers have also complained about wages being unfairly withheld by their employers. The government does not seem to have been responsive to many of these complaints.

The government generally protects the rights of children, making available free education to all children. Child abuse occurs, but there is no societal pattern of child abuse. The practice of female genital mutilation still occurs in some isolated areas. Female genital mutilation is damaging to both the physical and mental health of those who are forced to undergo the procedure. It is almost universally condemned as a human rights crime. The practice seems to be on the decline in Oman.

The government has been moving to protect the rights of the disabled, providing access to public facilities and moving to eliminate job discrimination. The government has encouraged the creation of disabled parking spaces and pushed for wheelchair access to most buildings. Students in wheelchairs have easy access to the national university.

Human rights groups are not allowed to operate in Oman.

Carl Skutsch

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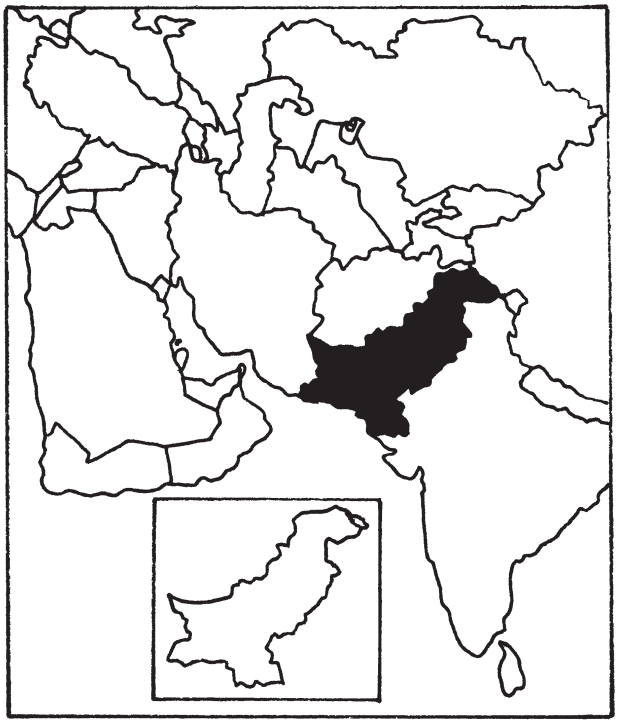
Pakistan



The Islamic Republic of Pakistan is situated in the western part of the Indian subcontinent, with Afghanistan and Iran on the west, India on the east, and the Arabian Sea on the south. Islamabad is the capital city. The country's population of approximately 138 million includes Punjabi, Sindhi, Pashtun (Pathan), Baloch, and Muhajir (immigrants from India and their descendants). Although Urdu is the official language, each ethnic group has its own language. English is widely spoken as well. Islam is the state religion.

BACKGROUND

Pakistan is a poor country with an uneven distribution of wealth among social classes. The illiteracy rate is very high, especially among women. Annual per capita gross domestic product is estimated at $2,000. Major foreign exchanges come from the exports of textiles, apparel, rice, and leather products. Despite the government's effort to privatize state-owned enterprises and encourage a free market, the high level of inflation has hampered foreign and local investment.

A former British dominion, Pakistan became an independent state in 1947. However, for the two decades following 1956, a dictatorship ruled the country. In addition, tensions between East and West Pakistan started to rise, resulting from cultural and social differences. A civil war broke out in 1970, when the East Pakistan's Awami League obtained the majority of the seats in the National Assembly and demanded greater autonomy. East Pakistan defeated the West, and in 1971, the state of Bangladesh was proclaimed with the support of the Indian Army.

In 1977, the Pakistan People's Party and its leader, Zulfikar Bhutto, won the first free elections, which were declared fraudulent by the military. Later in the year, Gen. Mohammed Zia ul-Haq took over the government, and arrested, tried, and convicted Bhutto, who was executed in 1979. In 1988, Zia was killed in an airplane accident. Consequently, new elections where held and won by Benazir Bhutto, daughter of Zulfikar Bhutto.

Benazir Bhutto twice ruled Pakistan as a prime minister; however, she was dismissed both times for corruption and incompetence. In 1997, a new government came to power with the Pakistan Muslim

League headed by Prime Minister Nawaz Sharif. Under the new government, widespread violence and terrorism began to increase, and resulted in thousands of deaths, largely caused by the actions of political groups, including Sunni and Shi'a sectarian extremists, and various tribal factions. In October 1999, the military deposed Prime Minister Nawaz Sharif and suspended the constitution. Members of the dismissed government were believed to be in the army's protective custody.

HUMAN RIGHTS

The human rights situation has been extremely poor under successive governments, in which corruption and lack of accountability at all levels have further increased the practice of human rights violations. Freedoms of speech, the press, assembly, and association have been restricted. Human rights groups, including non-governmental organizations, have been hampered by governmental interference.

The security forces have committed numerous human rights abuses in the form of extrajudicial killings, torture, rape, and arbitrary arrest and detention. In general, the government does not investigate or convict the perpetrators of such abuses, maintaining a climate of impunity among public officials. Amnesty International has estimated that over 100 people have died each year as a result of torture in custody. Police used force to extract confessions, and suspects often confessed to crimes, regardless of their guilt or innocence, simply to avoid torture. Common torture methods included burning with

Pakastani children laboring at a construction site.

cigarettes, hanging upside down, electric shocks, sexual assaults, and other degrading treatment.

Extrajudicial executions have been reported from all provinces. In addition, special courts have been imposing the death penalty without following international standards for fair trials. Prison conditions are extremely harsh, with overcrowding, inadequate sanitation, poor nutrition, and a lack of medical care being significant problems. There were credible reports of prison officials using the threat of abuse to extract money from prisoners or their families. Landlords in rural areas reportedly have been operating private jails, housing bonded laborers or political prisoners.

Women, children, and religious minorities are suffering discrimination, violence, and inadequate protection. Traditional religious, social, and legal practices keep women in a subordinate position in society. Moreover, violence against women, including spousal abuse, rape, and trafficking in prostitution, continues to be common.

Child labor and child prostitution are serious problems as well. Children are sometimes kidnapped and used in forced labor. In general, bonded labor is largely used. In some remote areas of Pakistan agricultural bonded labor and debt slavery have a long history.

Religious minorities face discrimination in employment and education and are subject to Islamic law; members of religious other than Islam have been imprisoned or condemned to death on charges such as blasphemy.

Amnesty International has called on the military to ensure human rights protection during political crises. Moreover, it has asked for all political forces in Pakistan to "make every effort to institute reforms which enable full enjoyment of civil and freedoms and human rights a reality." The military has not complied with this and other similar requests.

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Panama

The Republic of Panama is located in Central America, between the Caribbean Sea and the Pacific Ocean. It has borders with Colombia and Costa Rica. Seventy percent of its population—which was 2.7 million in 1999—is composed of Mestizos (mixed Amerindian and white), with the rest being West Indians (14 percent), whites (10 percent), and Amerindians (6 percent). More than half of the population lives in the Panama City–Colon metropolitan corridor. Roman Catholicism is practiced by 85 percent of the population, whereas Protestantism is practiced by a minority (15 percent). Spanish is the official language, although English is also spoken, especially by West Indians.

BACKGROUND

Because of the country's key geographic location, Panama is a global trade center, with an economy that is service-based and heavily dependent on banking, commerce, and tourism. The Panama Canal and other shipping and port activities have been the most important sectors driving economic growth. A wide range of economic reforms have been advanced in recent years in order to liberalize trade, attract foreign investment, privatize state-owned enterprises, institute fiscal reform, and encourage job creation. Panama is a member of the World Trade Organization.

Panama is a constitutional democracy. The government consists of an executive branch (a president and two vice presidents); a legislative branch (Legislative Assembly); and a judicial branch (the Supreme Court).

After being visited by a number of European explorers, such as Rodrigo de Bastidas, Christopher Columbus, and Vasco Nuñez de Balboa, during the sixteenth century Panama became the crossroads and marketplace of Spain's empire in the New World. It was part of the Spanish Empire from 1538 until 1821. In November 1903, Panama proclaimed its independence, with U.S. encouragement and French financial support. It became a constitutional democracy dominated by a commercially oriented oligarchy. During the 1950s, the military began to challenge this oligarchy, and in 1968, a military regime was established, led by Brigadier General Omar Torrijos.

Soldiers of the Panama Defense Force lined up with riot shields, 1989.

The Panama Defense Force continued to dominate Panamanian political life even after Torrijos' death in 1981. In the summer of 1987, more than 100 business, civic, and religious groups formed a loose coalition that organized widespread demonstrations against the corrupt government. The internal crisis was paralleled by the increasing tension with the United States, especially after the 1988 indictment of General Manuel Noriega in U.S. courts on drug trafficking charges. The Noriega regime came to an end in December 1989, when President George Bush ordered the U.S. military into Panama in what was called Operation Just Cause.

After the fall of the Noriega regime, Panamanians moved quickly to rebuild their civilian constitutional government.

Much of Panamanian modern history has been shaped by its canal. Under the 1903 Hay/Bunau-Varilla Treaty, the United States, in a zone roughly ten miles wide and fifty miles long, was granted the right to build, administer, fortify, and defend a canal in Panama. In the early 1960s, sustained pressure began to surface regarding the renegotiation of this treaty. In 1977, the Panama Canal Treaties guaranteed the permanent neutrality of the canal. The canal was finally signed over to Panama on December 14, 1999, ending almost a century of heavy American involvement in Panamanian affairs.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, although there are still problems in several areas.

Although the constitution prohibits the use of measures that could harm the physical, mental, or moral integrity of detainees

and prisoners, excessive force and psychological threats by prison guards against inmates are still common. Also, police often respond with force to demonstrations of workers and students. Despite efforts to introduce some reforms, prison conditions remain harsh. Gang battles and outbreaks of violence are common, resulting from overcrowding and mixing together all types of inmates rather than separating them according to the type or severity of the crime they committed. Medical care is inadequate, and tuberculosis and other communicable diseases are common. Prisoners are regularly subjected to prolonged pretrial detention.

The constitution provides for an independent judiciary. However, the judiciary is often subject to political manipulation, and the criminal justice system is inefficient and corrupt. Many public defenders are not appointed until after the investigative phase of the case, and their caseloads are staggering.

Political pressure on the media was once common as the government long had legal authority to prosecute media owners and reporters for criminal libel and calumny. In 1999, however, these "gag laws" were eliminated.

Despite the constitutional provision against discrimination on the basis of race, birth status, social class, sex, religion, and political views, many prejudices based primarily on social status are very common among citizens. Domestic violence, sexual assaults, and sexual harassment against women represent serious problems.

Child welfare remains a problem in Panama. In remote areas, children do not always attend school because of a lack of transportation, as a result of traditional attitudes, and due to insufficient government enforcement. Many children suffer from malnutrition, neglect, and inadequate medical care. Malnourishment is highest among rural indigenous groups. Juvenile delinquency is frequent in major urban areas, and includes drug trafficking, armed robbery, kidnapping, car theft, and murder. Child labor is common in the production of sugarcane and coffee and in subsistence agriculture. Also, many children work as domestic help or as street vendors.

No national law mandates the installation of access features or assistance for the disabled in public or private buildings. In 1998, however, Panama City enacted building codes to require such access in new construction.

The Ministry of Labor does not adequately enforce the minimum wage law, because of insufficient personnel and financial resources. Most workers in the large informal economic sector earn well below the minimum wage.

Human rights organizations, including both religious and secular groups, operate without government restrictions and carry out a variety of activities, including investigations and dissemination of their findings.

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Papua New Guinea

The Independent State of Papua New Guinea is located in Southeast Asia. It consists of a group of islands, including the eastern half of the island of New Guinea, located between the Coral Sea and the southern Pacific Ocean, east of Indonesia. Port Moresby is the capital. Its population, which was estimated at 4.7 million in 1999, includes the following ethnic groups: Melanesians, Papuans, Negritos, Micronesians, and Polynesians. The indigenous population of Papua New Guinea is one of the most heterogeneous in the world, consisting of several thousand separate communities, most with only a few hundred people. There are about 715 indigenous languages in Papua New Guinea. Native languages are spoken by a few hundred to a few thousand people, and most of them are extremely complex grammatically. English is spoken by 2 percent of the population, Pidgin English is widespread, Motu is spoken in the Papua region, and Enga is spoken in the Enga province by approximately 130,000 people. Roman Catholicism is practiced by 22 percent of the population. Other religions include Lutheranism (16 percent), Presbyterianism and Methodism (8 percent), Anglicanism (5 percent), Evangelical Alliance (4 percent), Seventh-Day Adventism (1 percent), other Protestantism (10 percent), and indigenous beliefs (34 percent).

BACKGROUND

Rich in natural resources, Papua New Guinea has an agriculture-based economy. Coffee, cocoa, and coconut represent the major sources of export earnings. Among other sources of export earnings are mineral deposits, including copper and gold. The economy has been sustained by budgetary support from Australia and development aid offered by the World Bank. In 1997, Papua New Guinea's economy was adversely affected by droughts caused by the El Niño weather pattern.

Papua New Guinea is a constitutional monarchy with a democratic Parliament. The government consists of an executive, the British monarch, represented by the governor general; the legislature, with a unicameral Parliament; and an independent judiciary, with a Supreme Court.

The name Papua, coming from a Malay word for the frizzled quality of Melanesian

hair, was given to the principal island by Don Jorge de Meneses in the early sixteenth century, whereas the term New Guinea was applied to the island by the Spaniard Ynigo Ortis de Retez, because of the resemblance of the islands' inhabitants with those found on the African Guinea coast. In 1899, Germany formally took possession of the northeast quarter of the island. In 1914, Australian troops occupied German New Guinea, and the territory remained under Australian military control until 1921. The British government, on behalf of the Commonwealth of Australia, eventually assumed a mandate from the League of Nations to govern the Territory of New Guinea in 1920. In 1945–1946, Papua and New Guinea were combined into an administrative union under the title The Territory of Papua and New Guinea. In 1972, the name of the territory was changed to Papua New Guinea.

The country achieved independence on September 16, 1975. A succession of prime ministers, coalition governments, and shifting party loyalties have characterized the national politics of the following years.

HUMAN RIGHTS

Human rights violations are still very common in several areas. Although the constitution prohibits torture and other degrading punishment, police are regularly responsible for committing extrajudicial killings and beating suspects. In addition, members of the police are often responsible for abusive treatment and theft of property at highway roadblocks.

Prison conditions are harsh. Jails are overcrowded and do not provide adequate medical care or food to inmates. Outbreaks of typhoid in some prisons have represented a problem in recent years.

Pretrial detention periods for many are extremely long, due to limited police and judicial resources and a high crime rate. Moreover, political interests routinely interfere with due process, although the judiciary is supposedly constitutionally independent.

The government generally respects the privacy rights of its citizens, but at times authorities commit abuses in this area. Warrantless searches and raids, as well as the destruction of private property and the seizure of property from vehicles, are common.

Despite constitutional provisions regarding the freedom of assembly, the government limits this right in practice.

The constitution prohibits discrimination on the basis of race, tribe, place of origin, political opinion, color, creed, religion, or sex. Discrimination, however, is still common, especially against women. Violence against women, including domestic violence and gang rape, represents a serious problem. However, prosecutions are rare, since few victims press charges. In addition, violence committed against women by other women does occur and usually stems from domestic disputes, especially in areas where polygyny is still customary. In some areas, women are considered second-class citizens, having only the status of personal property. Village courts generally impose jail terms on women found guilty of adultery, while barely penalizing men. Women are often purchased as brides or given as compensation to settle disputes between clans.

Sexual abuse of children is very common. In addition, in many villages malnutrition and infant mortality rates are very high.

There is no legislation regarding accessibility for the disabled, and disabled persons regularly face discrimination in education, training, and employment.

The government generally cooperates with human rights non-goverment organizations.

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Paraguay

The Republic of Paraguay is located in central South America, northeast of Argentina. Asuncion is the capital city. Paraguay's population, which was estimated at 5.4 million in 1999, is made up of mestizos (95 percent) and whites and Amerindians (5 percent). Among those who have settled in Paraguay are Germans, Japanese, Koreans, ethnic Chinese, Arabs, Brazilians, and Argentines. The majority of the population practices Roman Catholicism (90 percent), and a minority follow Mennonite and other Protestant faiths. Spanish is the official language of Paraguay, although Guarani—the only trace of the original Guaran Indian culture—is also spoken.

BACKGROUND

Paraguay is a constitutional republic. The government includes an executive branch, which is the president; a legislative branch, made up of the Senate and the Chamber of Deputies; and the judiciary, which is the Supreme Court of Justice.

Paraguay features a market economy, with a formal sector based on services, and a large, informal sector oriented toward the re-export of imported consumer goods to neighboring countries. A large percentage of the population, however, derives its living from agricultural activities. Although the formal economy has grown over the past six years, the population has increased at about the same rate, leaving per capita income stagnant.

In 1537, Spanish explorer Juan de Salazar founded Asuncion, which eventually became the center of a Spanish colonial province. Paraguay achieved independence from Spain in May 1811. The country's subsequent history is marked by the tradition of personal rule established by José Gaspar Rodriguez de Francia, Carlos Antonio Lopez, and Francisco Solano Lopez. The country lost half of its population during the 1864–1870 War of the Triple Alliance against Argentina, Uruguay, and Brazil. Paraguayan politics of the 1930s and 1940s were charatcterized by civil war, various dictatorships, and periods of extreme political instability.

General Alfredo Stroessner ruled the country after 1954. During Stroessner's thirty-five-year regime, political freedoms

were severely limited, and opponents were routinely persecuted in the name of anti-communism. In 1989, Stroessner was overthrown in a military coup led by General Andres Rodriguez who, during his presidency, instituted political, legal, and economic reforms. In 1992, a new constitution was adopted, establishing a democratic system of government.

HUMAN RIGHTS

Although the government generally respects the human rights of its citizens, serious problems remain in several areas.

The constitution prohibits torture, as well as cruel, inhumane, or degrading treatment of prisoners or detainees aimed at extracting confessions, punishing escape attempts, or intimidation. Torture and brutal treatment of convicted prisoners and other detainees, however, are practiced regularly by members of the security forces. Some cases of torture and abusive treatment have involved women and children. In addition, non-commissioned and commissioned officers often mistreat military recruits, occasionally severely enough to be fatal. Violence is also used by landowners in removing squatters from their property with the help of the police.

Prison conditions are extremely harsh, due to overcrowding, lack of medical care, and unsafe conditions. In addition, prisons

Protestors demonstrating against election fraud in Paraguay.

have separate accommodations for those with sufficient means, who receive better treatment compared to other prisoners.

Arbitrary arrest and detention are very common. Pretrial detention is also a problem because a large percentage of prisoners are regularly held pending trial for months or years after their arrest. The constitution permits detention without trial until the accused completes the minimum sentence for the alleged crime. Bail is usually very high, and many accused are unable to post it.

Due to the outdated penal and criminal procedure codes, insufficient resources, delays as new judicial officials learn their tasks, and a large backlog of cases, the judicial system is extremely inefficient. In addition, although the judiciary is constitutionally independent, it is often subject to pressure by politicians and other persons whose interests are at stake. Often the defendants' right to an attorney is not respected.

Local officials and police officers routinely abuse their authority by entering homes or businesses without warrants and by harassing private citizens. There is evidence that the government occasionally spies on individuals and monitors communications for political and security purposes.

Although the constitution prohibits discrimination on the basis of birth, nationality, political belief, race, gender, language, religion, opinion, national origin, economic condition, or social condition, certain groups continue to face significant discrimination in practice. Violence against women, including spousal abuse, is a serious problem. Official complaints, however, are rarely filed for a variety of reasons, including family pressures and fear of reprisals from the attacker. Despite the law against trafficking and sexual exploitation of women, these practices are very common, especially the problem of teenage prostitution. Moreover, sex-related job discrimination occurs on a regular basis, as does sexual harassment of women in the work place. Women have much higher rate of illiteracy than men and suffer from high rates of maternal mortality because of poor medical care.

Abuse of children is also a problem. Many children between the ages of seven and seventeen work, many in unsafe labor conditions or in the streets. Many of them suffer from malnutrition, lack of access to education, and disease. Sexual exploitation of children is very common, especially among females age sixteen or younger.

The disabled face significant discrimination in employment, and many are unable to seek employment because of a lack of accessible public transportation. The law does not mandate accessibility for the disabled, and the vast majority of the nation's buildings, both public and private, are inaccessible to the disabled.

The indigenous population is unassimilated and neglected. Low wage levels, long work hours, infrequent payment of wages, job insecurity, lack of access to social security benefits, and racial discrimination are common. Among the other problems facing the indigenous population are lack of education, malnutrition, lack of medical care, and economic displacement.

Although the constitution prohibits anti-union discrimination, the firing and harassment of some union organizers and leaders in the private sector occurs. Union organizers sometimes are incarcerated for leading demonstrations. In some cases, workers often choose not to protest because of fear of reprisal or anticipation of government inaction.

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Peru

The Republic of Peru is located on the Pacific coast of South America. It is bordered by Ecuador, Colombia, Brazil, Bolivia, and Chile. Lima is the capital city. The population, which was estimated at 26.6 million in 1999, is made up of Amerindians (45 percent), mestizos (37 percent), whites (15 percent), and blacks, Japanese, Chinese, and others (3 percent). Spanish and Quechua are the country's official languages. Aymara is also spoken by a minority. Virtually the entire population practices Roman Catholicism.

BACKGROUND

Rich in natural resources (minerals, metals, petroleum, forests, and fish), Peru now features a market-oriented economy, after many years of heavy state regulation. Several major privatizations have been completed since 1990 in the mining, electric, and telecommunications industries. Among its major exports are copper, petroleum, fish meal, textiles, zinc, gold, coffee, and sugar. Illegal exports of processed coca are thought to have earned about $300 to $500 million annually in the past years. The 1990 austerity program contributed to a short-lived contraction of the economy. In 1991, however, the output rose 2.4 percent. The financial situation has been greatly alleviated by the cooperation of the International Monetary Fund (IMF) and the World Bank. The national rate of unemployment is about 8 percent, and the underemployment rate is around 45 percent. The poor constitute 50 percent of the population. More than half of the economically active population is engaged in the informal sector of the economy.

Peru is a constitutional republic. Its government is made up of an executive branch (the president, two vice presidents, and the Council of Ministers), a legislative branch (a unicameral Congress), and the judiciary (the Supreme Court and lower courts and the Tribunal of Constitutional Guarantees).

The territory, which had been the nucleus of the highly developed Inca civilization, was conquered in 1531 by the Spanish explorer Francisco Pizarro, founder of Lima (1535). By 1542, the Spanish consolidated their control over Peru, which became the principal source of Spanish wealth and power in South America. Peru achieved in-

Police raid of the union headquarters of the Federation of Light and Power Workers, October 1988.

dependence from Spain on July 28, 1821, thanks to the independent movement led by José de San Martin of Argentina and Simon Bolivar of Venezuela. After independence, Peruvian history has been characterized by a number of coups, which have repeatedly interrupted civilian constitutional government. In addition, Peru and its neighbors have engaged in intermittent territorial disputes. In 1941, after the clash between Peru and Ecuador, the Rio Protocol sought to establish the boundary between the two countries. Boundary disagreements continued, however, and resulted in the 1981 and 1995 brief armed conflicts.

Since 1980, the security forces have directed most of their efforts against the Sendero Luminoso (Shining Path) and Tupac Amaru Revolutionary Movement (MRTA) terrorist groups.

HUMAN RIGHTS

The government only sometimes respects the human rights of its citizens, and serious problems remain in several areas.

There is some question as to whether Peru allows its citizens to freely choose their government. Although Peru is officially a democracy, its former president, Alberto Fujimori, elected in 1990, often employed dictatorial tactics. In particular, many Peruvians resented his abrogation of the Peruvian constitution's articles that limit the president's terms in office. In 2000, despite the ruling of a three-judge panel declaring

his actions illegal, and after an election campaign that was largely viewed as corrupt, Fujimori was elected to a third term as president. His presidency was marked by numerous human rights abuses and he fled the country in disgrace in December 2000.

Although the constitution prohibits torture and inhumane treatment, security forces are regularly responsible for torture and brutal beatings of detainees, which usually take place during the period immediately following arrest. Torture is particularly common in police cells operated by the National Counterterrorism Directorate and in detention facilities on military bases. Besides beatings, common methods of torture include electric shock; water torture; asphyxiation; hanging victims by a rope attached to their hands, which are tied behind their backs; and the rape of female detainees. Other forms of torture include sleep deprivation and death threats against both the detainees and their families.

Prison conditions are extremely harsh due to low budgets, the inconsistent quality of prison administration, severe overcrowding, lack of sanitation, and poor nutrition and health care. Often, prisoners are victimized by both prison guards and fellow inmates. Furthermore, corruption represents a problem among the poorly paid prison guards, who are often implicated in offenses such as sexual blackmail, extortion, the sale of narcotics and weapons, and the acceptance of bribes. Illegal drugs are abundant in many prisons, and cases of tuberculosis and AIDS are often reported.

Serious human rights violations include arbitrary arrest and detention, prolonged pretrial detention, absence of accountability, lack of due process, and lengthy trial delays. Police routinely detain persons of African descent on suspicion of having committed crimes simply because of the color of their skin.

Despite the constitutional provision for an independent judiciary, in practice the judicial system is inefficient, often corrupt, and easily manipulated by the executive branch. The government often fails to provide indigent defendants with qualified attorneys.

The government infringes on citizens' privacy rights on a regular basis. Moreover, the constitution provides for freedoms of speech and of the press, but in practice the government limits these freedoms. In particular, journalists routinely face harassment and intimidation, and as a consequence, they practice a high degree of self-censorship.

The constitution prohibits discrimination based on ethnic origin, race, sex, language, religion, opinion, or economic condition. However, common problems include discrimination against women, people with disabilities, indigenous people, and racial and ethnic minorities.

In particular, violence against women, including rape, spousal abuse, and the physical and sexual abuse of women and girls, represents a chronic problem. A large number of domestic violence cases remain unreported because of the fear of retaliation by the accused spouse, along with the cost involved in pursuing a complaint, among a variety of other reasons. Furthermore, because of societal prejudice and discrimination, women traditionally have suffered disproportionately from pervasive poverty and unemployment. Women are significantly underrepresented in leadership roles in both the public and private sectors.

Violence against children and the sexual abuse of children represent serious problems. In addition, beating and mistreatment of adolescents on army bases are very com-

mon—this has usually occurred in connection with the forcible conscription of boys for military service. However, in January 2000, the forcible conscription was ended. Street crime committed by children and adolescents is extremely common. The majority of these crimes are committed under the influence of drugs and alcohol, and their underlying causes are unemployment, non-attendance at school, and weak family relationships. As many as 1.2 million children work to help support their families.

The government devotes little attention to the disabled. In particular, no effort has been made to implement the constitutional provision for barrier-free access by persons with physical disabilities in public service or government buildings. The large indigenous population also faces pervasive discrimination and social prejudice.

The government at times hinders the operation of human rights monitors, but the Office of the Human Rights Ombudsman was created in 1993 and grows steadily in reputation.

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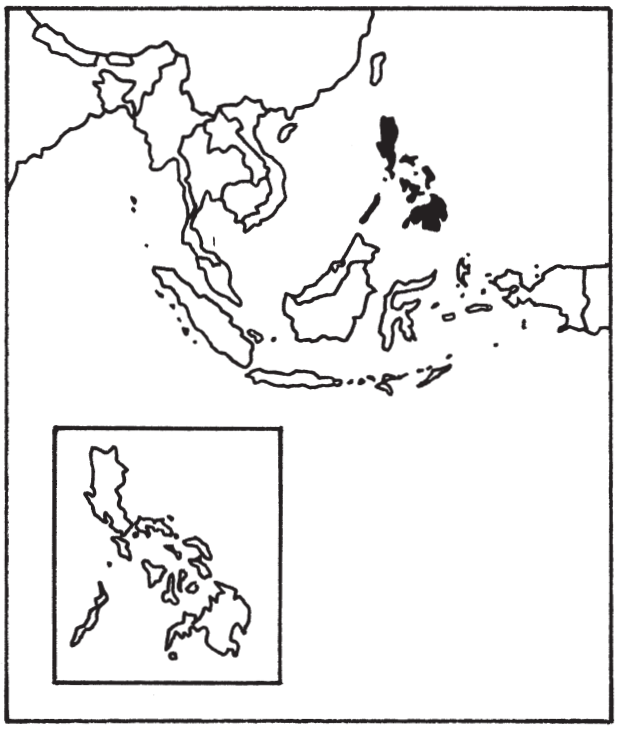
Philippines



The Republic of the Philippines is an archipelago in Southeast Asia, between the Philippine Sea and the South China Sea, east of Vietnam. Manila is the capital city. The population, which was estimated at 79.3 million in 1999, consists of Christian Malays (91.5 percent), Muslim Malays (4 percent), Chinese (1.5 percent), and other ethnic groups (3 percent). Roman Catholicism is practiced by 83 percent of the population. Protestantism, Islam, Buddhism, and other religions are practiced by a minority. Filipino, which is based on Tagalog, and English are the official languages. The government is composed of an executive branch (the president and the vice president), a legislative branch (a bicameral legislature), and an independent judiciary.

BACKGROUND

The Philippine economy is a mixture of agriculture, light industry, and supporting services. Telecommunications and electronic products make up more than half the merchandise exports. The economy has undergone a deep crisis in recent years due to the Asian financial crisis and poor weather conditions. Over 35 percent of the population have difficulty meeting basic nutritional and other needs, and the gap between rich and poor continues to grow. The government has instituted economic reforms, which should help the country match the pace of development in the other newly industrialized countries of Southeast Asia. Among the measures included in the program are improving the infrastructure, overhauling the tax system to bolster government revenues, and moving toward further deregulation and privatization of the economy.

The history of the Philippines may be divided into four distinct phases: the pre-Spanish period (before 1521); the Spanish period (1521–1898); the American period (1898–1946); and the years since independence (1946–present).

The Malays dominated the Philippines until the Spanish arrived in the sixteenth century, led by Ferdinand Magellan. During the 377-year Spanish rule, the population converted to Roman Catholicism. Emilio Arguinaldo declared independence from Spain on June 12, 1898, after the Spanish-American War in which Admiral Dewey defeated the Spanish fleet in Manila. The United States eventually occupied the Philippines, under the terms of the 1898 Treaty of Paris

(and over the protests of Filipino patriots). In 1935, under the terms of the U.S. Tydings-McDuffie Act, the Philippines became a self-governing commonwealth. The Philippines were occupied by the Japanese during World War II. The Japanese surrendered in September 1945. On July 4, 1946, the Philippine Islands became the independent Republic of the Philippines, in accordance with the terms of the Tydings-McDuffie Act.

The early years of independence were dominated by U.S.-assisted postwar reconstruction. In 1972, President Ferdinand E. Marcos declared martial law, which he justified by citing the growing lawlessness and open rebellion by communist rebels. Marcos governed from 1973 until mid-1981, in accordance with the transitory provisions of a new constitution that replaced the commonwealth constitution of 1935. During his rule, Marcos operated essentially as a dictator.

The assassination of opposition leader Benigno (Ninoy) Aquino in 1983 coalesced popular dissatisfaction with Marcos, which resulted in the presidential election of February 1986. Corazon Aquino was elected president in February 1986 and served until Fidel Ramos was elected in 1992.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, although there are problems in some areas.

Members of the security forces are sometimes responsible for extrajudicial killings and disappearances. In particular, summary execution of suspects represents a common strategy to combat organized crime. Although the constitution prohibits torture, members of the security forces and the police use torture on a regular basis and routinely abuse suspects and detainees. Among the most typical forms of abuse during arrest and interrogation are slapping, hitting with clubs, and poking defendants with guns. Police also use electric shocks on detainees to extort confessions.

Prison conditions are very harsh and life threatening. Arbitrary arrest and detention are very common. Prisons are overcrowded, have limited exercise and sanitary facilities, and provide prisoners with an inadequate diet. Guards often abuse prisoners and frequently rape female inmates. Official corruption also represents a serious problem in the prison system.

The judicial system is inefficient and suffers from corruption. The use of personal connections, patronage, influence peddling, and bribery are common. The judicial process is frequently biased in favor of the rich and influential. The pace of justice is very slow, due to a large case backlog and limited resources.

The constitution prohibits discrimination against women, children, and members of minorities. Violence against women and the abuse of children, however, continue to represent serious problems.

Women are often victims of domestic violence, a result of the lack of laws against domestic violence, double standards of morality for men and women, and traditional societal reluctance to discuss private family affairs. Rape continues to be a major problem. In addition, many women suffer from exposure to violence through their recruitment into prostitution. Many women seek employment overseas and are particularly vulnerable to exploitation by unethical recruiters who promise attractive jobs or, in some cases, arrange marriages with foreign men. Some end up working as prostitutes or suffering abuse at the hands of their foreign employers or husbands. Sexual harassment is also a problem, yet it is underreported due to vic-

Poor families in the Philippines are allowed to live in cemeteries in return for taking care of them.

tims' reticence and their fear of losing their jobs. Women generally face discrimination in employment, except in government service and jobs in government-owned or government-controlled corporations.

Despite the various governmental programs devoted to children's education, welfare, and development, children face serious problems. Widespread poverty forces a disproportionate number of children to work. Millions are exposed to hazardous working environments. The are over 100,000 street children nationwide. Many of them are abandoned, with no family support, and engage in scavenging or begging. Children are often victims of rape and are preyed upon by foreign pedophiles. An estimated 60,000 children are involved in the commercial sex industry.

The laws providing the disabled with equal physical access to all public buildings have been ineffective.

Discrimination against indigenous people and Muslims are common, although the peace negotiations with Muslim rebel groups have been addressing the latter problem in many communities. The government has been making significant efforts in its campaigns to protect the rights of indigenous people to maintain their land and their cultural identity.

Human rights groups operate without government restriction, freely investigating and publishing their findings on human rights cases.

Barbara and Michela Zonta

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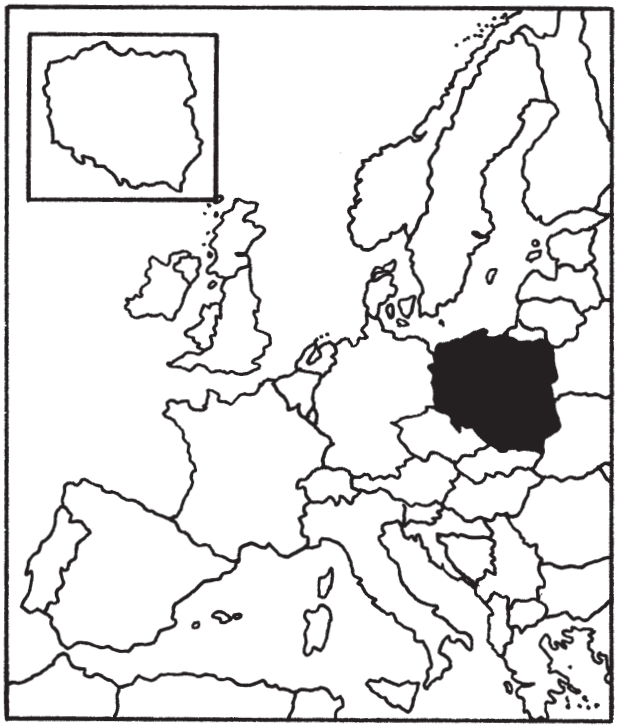
Poland



The Republic of Poland is situated in eastern Europe, bounded on the north by the Baltic Sea, on the east by Lithuania, Belarus, and Ukraine, on the south by the Czech Republic and Slovakia, and on the west by Germany. Warsaw is the capital city. Poland has a population of approximately 38.6 million. Most of the population is Polish, and minor ethnic groups include Germans, Ukrainians, Belarusians, and Lithuanians. Polish is the official language. The majority of the population belongs to the Roman Catholic Church (95 percent), whereas small minorities are affiliated with the Eastern Orthodox, Uniate, and Protestant churches.

BACKGROUND

Poland became an independent republic in 1918. However, Germany invaded Poland in September 1939, beginning World War II. After World War II ended, Poland formally regained its independence, but remained under the control of the Soviet Union. However, in 1989, with the fall of the Eastern bloc and many years of political struggle, a non-communist government was formed. In 1989, Poland had the first free and fair elections since 1945, which resulted in the defeat of the Communist Party. In 1992, a provisory constitution was amended, and it came into effect at the end of 1998.

The president of the republic is the head of state, and he is elected by popular vote. The prime minister and the cabinet hold the executive power. The bicameral Parliament is vested with the legislative power. The judiciary is independent.

Poland has been one of the most successful countries of the ex-Soviet bloc to convert from a state-regulated economy to a free-market economy. Inflation and unemployment have been steadily reduced since the beginning of that transition. Most state-owned companies have been privatized. However, further improvements are expected in the coming years, including the reform of the agricultural sector, pension system, and other social services.

HUMAN RIGHTS

The constitution grants Poland's citizens all fundamental human rights, and the gov-

Refugees from Poland who tried to illegally enter Germany.

ernment respects these provisions in practice. There are some exceptions.

Prison conditions do not meet minimum international standards. Many correctional facilities are too old and overcrowded, and their renovation is held back by a lack of funds. In addition, physical abuse among detainees is common. The authorities allow visits by human rights monitors.

Although the law provides all citizens with the right to a fair trial, the court system does not appear to fulfill this provision because of a lack of funds, poor administration, long pretrial procedures, and scarce personnel. However, the government is trying to overcome these problems by reforming the entire court system.

Although the law puts some restrictions on freedoms of speech and the press, the media are vigorously independent. Many private television and radio stations operate freely in Poland.

Women continue to face discrimination in employment and salaries. They also remain underrepresented politics and government. Violence against women is a serious problem, and many cases of abuse go unreported due to cultural and social pressures. Moreover, there is no specific law addressing domestic violence, and generally, citizens do not recognize the problem. Several organizations are trying to educate women about their rights and sensitize public opinion to women's issues and problems.

Anti-Semitism remains a problem in Poland, but in recent years government officials have been making great strides in combatting it.

In an example of anti-Semitic graffiti in Cracow, a Star of David is drawn hanging from a gallows.

The government is committed to children's welfare, although a lack of resources prevents the implementation of many initiatives, especially in the area of health care. In addition, prostitution among teenage girls is on the rise.

Although the constitution prohibits discrimination based on disability, in practice this provision is not enforced effectively, and people with disabilities still encounter architectural barriers, both in public and private facilities.

The government cooperates with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

Many non-governmental human rights organizations operate in the country without governmental restrictions.

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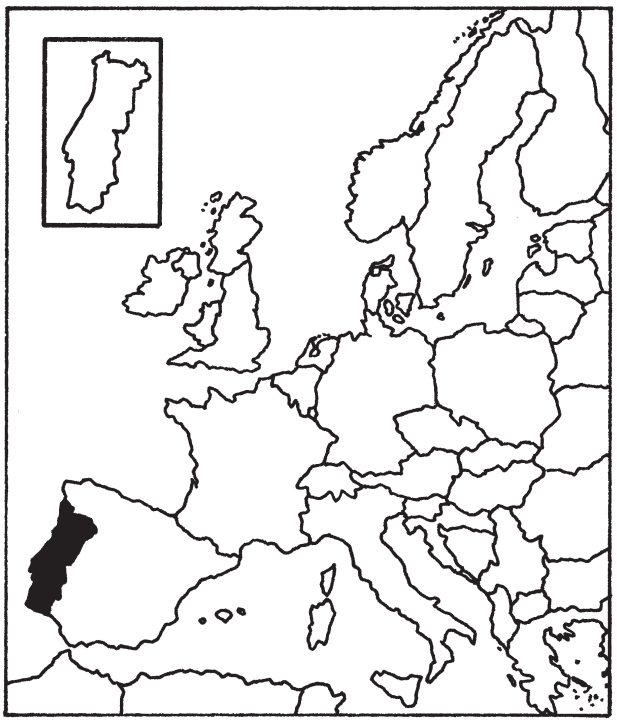
Portugal



The Republic of Portugal is situated in southwestern Europe, on the Atlantic Ocean, bounded on the north and east by Spain. Lisbon is the capital city. Portugal has a population of approximately 10 million. Ethnic groups include Portuguese and an African minority that emigrated to Portugal during the decolonization process. Portuguese is the official language. About 97 percent of the Portuguese are Roman Catholic; the remainder are affiliated with Protestant churches (1 percent) and other religions (2 percent).

Since the beginning of the twentieth century, Portugal has been ruled by dictatorships. Antonio de Oliveira Salazar ruled from 1928 until 1968. The years following were characterized by a succession of military coups. However, in 1976, the country returned to civilian rule. The first civilian president was elected in 1986; in the same year, Portugal entered the European Community (now the European Union).

Today Portugal is a parliamentary constitutional democracy. The president is the head of state. The prime minister and the cabinet run the government. The unicameral Legislative Assembly (Parliament) holds the legislative power. The judiciary is independent.

Portugal enjoys a market-based economy. There has been a marked decline of employment in agriculture, whereas employment in the industrial sector has not grown. An increasing portion of the workforce is now employed in public service.

The constitution grants human rights to all citizens, and the government generally respects these provisions in practice. However, problems persist in a few areas. For example, there have been allegations of excessive use of force by the police. Moreover, prison conditions remain poor, due to overcrowding and inefficient administration. Major complaints include poor-quality food, health care, and sanitation. Nevertheless, the authorities always permit visits by human rights monitors.

The judiciary system is inefficient due to a huge backlog of cases.

Women are still underrepresented in government and employment. They generally receive lower salaries for equal work. In addition, violence against women, including domestic violence, is common, but the law provides severe penalties for the perpetrators of various forms of physical abuse against women. However, many cases go

Immigrants from Cape Verde, a former colony, celebrate May Day while waving a Portuguese flag, May 1, 1996.

unreported because of cultural and social pressures. Although the government is very committed to children's welfare, child labor and pedophilia are still a problem as are street children

The law protects the rights of the disabled in employment, education, and other social services. However, many private facilities remain inaccessible to people with disabilities. Other human rights issues affect Portugal. There is concern about racial discrimination and xenophobic acts committed against both the Roma and people from Portugal's former African colonies.

Portugal cooperates with the United Nations High Commissioner for Refugees and several other humanitarian organizations in assisting refugees. Moreover, qualified asylum seekers are able to receive residence permits from the Portuguese government.

The government cooperates with many local and international organizations dealing with human rights issues. Although the authorities have been generally cooperative, many of the organizations have complained about slow investigations and delayed prosecution.

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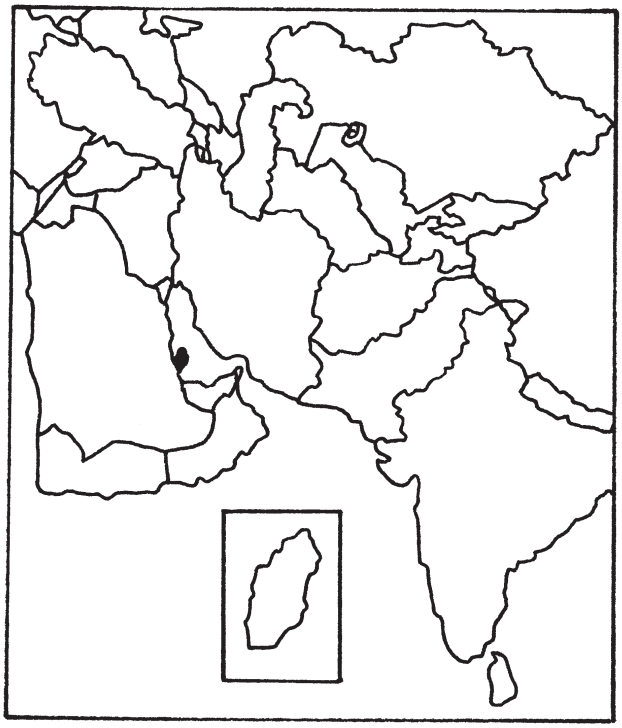
Qatar



Qatar occupies the Qatar Peninsula, jutting into the Persian Gulf from the eastern coast of the Arabian Peninsula. It has an area of 4,412 square miles. The capital and leading port is Doha. The population of Qatar in 1999 was estimated at 720,000, including many migrant laborers from neighboring states. The official language is Arabic, although English is widely used in government and commerce.

BACKGROUND

Petroleum provides most of Qatar's income. The country also produces natural gas, cement, and fertilizer. Herding is the principal agricultural occupation.

In 1916, Qatar became a British protectorate; it became independent when the British left the Persian Gulf area in 1971.

Qatar is governed by the Al-Thani family through its head, the amir, who is chosen from and by the adult males of the family. The amir is also prime minister, and he appoints the executive Council of Ministers. Qatar has no legislature. The current amir, Sheikh Hamad bin Khalifa al-Thani, overthrew his father in June 1995, with the support of his family and other leading Qatari families.

Citizens cannot peacefully change the government or the political system. The political institutions combine traditional Bedouin Arab tribalism with modern bureaucracy.

The amir holds absolute power, though this power is moderated by religious law, consultation with leading citizens, rule by consensus, and the right of any citizen to ask the amir to appeal government decisions. The amir issues new laws after consultation with an appointed advisory council that helps to formulate policy.

In July 1998, the amir established a democratically elected municipal council with representatives from the entire country. All citizens over the age of eighteen, both male and female, can vote and run for office on the council. The first election took place in March 1999.

Qatar has efficient police and security services. The civilian security force, controlled by the Interior Ministry, includes the police, the General Administration of Public Security, and the Investigatory Police, who are responsible for sedition and espionage. The Interior Ministry has a unit that performs internal security investigations and gathers intelligence, and there is an independent civilian intelligence service.

HUMAN RIGHTS

There have been no reports of torture for several years. The government allows most types of corporal punishment prescribed by Islamic law, but does not allow amputation. The government does employ the death penalty.

Prison conditions generally meet minimum international standards. The authorities generally charge suspects with crimes within forty-eight hours. With foreigners, the police notify their consulate of their detention. Suspects in security cases are usually denied access to counsel and may be detained indefinitely while under investigation; however, recently there has been no incommunicado detention. Involuntary exile is rare.

The court system is nominally independent, but most judges are foreign nationals whose residence permits are granted by the civil authorities, and who thus serve at the government's pleasure. Civilian judges are becoming more common.

Respect for the sanctity of the home and the privacy of women protects most citizens and residents against arbitrary intrusions. Police must obtain a warrant before searching a residence or business, except for in cases involving national security or emergencies. There were no unauthorized searches of homes during 1998 or 1999. The security forces are believed to monitor the communication of suspected criminals, those considered security risks, and some foreigners.

The government lifted restrictions on freedoms of speech and of the press in 1996, and also expanded press freedom, but there are still press restrictions. The government formally ended most censorship of the media in 1995, and since then the press has not suffered from government interference. However, journalists practice self-censorship. Broadcast media are state owned, but the private satellite channel Al-Jazeera operates freely. Censors still work in broadcast media under the Ministry of Religious Endowments. Pornography and hostility to Islam are subject to censorship, but this is applied irregularly. Customs officials screen the print and tape media for pornography, but allow non-Muslim religious items to be sold to the public. Citizens and residents have increasing, uncensored, and unrestricted access to the Internet, which is provided through the state-owned telecommunications monopoly.

Citizens enjoy broad freedom of speech, yet within the restraints of a very traditional society, and do not believe that the government monitors private speech. The foreign population does not have the same freedom and self-censors its speech accordingly. There is no legal provision for academic freedom. Most instructors at the University of Qatar exercise self-censorship.

There are almost no freedoms of assembly and association. The state does not allow political parties or activity or membership in international organizations that are critical of any Arab government. Private societies must register with the government. Security forces monitor their activities.

The state religion is Islam, as interpreted by the conservative Hanbali school of the Sunni branch of Muslim. Public worship by non-Muslims is not allowed, but the government protects private services conducted behind closed doors if prior notification is given to the authorities. The police provide traffic control for Catholic services attended by 1,000 or more persons. The government recently began issuing visas to Christian clergy sponsored by foreign embassies. Non-Muslims may provide religious instruction to their children, but may not proselytize. Conversion from Islam is traditionally a capital offense, but

there have been no executions for such conversion since Qatar achieved independence. Shi'a Muslims can practice their faith freely; however, they refrain from provocative public practices such as self-flagellation.

Internal travel is unrestricted, except around sensitive military and oil installations. Citizens who criticize the government may have their right to travel abroad restricted. All citizens have the right to reenter Qatar, but immigration restrictions for foreigners are designed to limit the labor pool to Qatar citizens. Foreign workers need permission to enter and leave the country, but their dependents may leave freely.

The government has no policy regarding refugees or asylum. Those attempting to enter illegally, even from nearby countries, are refused entry. Asylum seekers who can obtain sponsorship or employment are allowed to enter and stay as long as they are employed.

Discrimination based on gender, race, religion, social status, and disability is practiced at all levels.

Violence against women and spousal abuse are not widespread. Employers mistreat some foreign domestics, who usually do not press charges for fear of losing their jobs. Under Islamic law, all physical abuse is illegal. The maximum penalty for rape is death. The police actively investigate reports of violence against women and recently have demonstrated willingness to arrest and punish offenders, although citizens usually receive lighter punishments than foreigners. Foreign wives of local and foreign men have been filing more and more complaints of spousal abuse.

The activities of women are restricted. For example, to apply for a driver's license, a woman needs permission from a male guardian. In general, women are free to travel. However, male relatives may prevent women from leaving the country by giving their names to immigration officers. Women's roles have traditionally been restricted to motherhood and homemaking, but some are now employed in education, medicine, and the media. There are not enough professional women to determine whether they are receiving equal pay for equal work. In recent years, more women have been receiving state scholarships to gain an education overseas. The amir has given his second wife, mother of the heir apparent, the job of establishing a university in Doha. In 1996, Qatar appointed a female undersecretary to the Ministry of Education.

Qatar enforces children's rights through free public education (elementary through university) and complete medical care protection. Education is compulsory through the age of fifteen. Most foreign children do not receive free education or medical coverage. There is no cultural pattern of child abuse. Qatar does not tolerate forced and bonded labor by children. Children between the ages of fifteen and eighteen may work with the approval of their guardians, and some children work in family-owned businesses. Child labor is rare.

Qatar does not require accessibility for the disabled, who also face social discrimination. Qatar maintains a hospital and schools that provide excellent free services to the mentally and physically disabled.

The right of association is limited, and workers cannot form labor unions. However, almost all workers have the right to strike after their case has been ruled on by the Labor Conciliation Board. Employers may close down or fire employees once the board has heard the case. Government employees, domestic workers, and members of the employer's family cannot strike. No

worker in a public utility or health or security service may strike if the strike would harm the public or lead to property damage. Strikes are rare.

Qatar prohibits forced or compulsory labor. Three quarters of the workforce are foreign workers whose employer controls their residency permits; this leaves them vulnerable to abuse. For instance, employers must give their consent before foreigners are allowed to leave the country. Some employers withhold this consent to force employees to work for longer periods than they wish or originally agreed to.

There are no local human rights organizations. No international human rights organizations have asked to investigate conditions in the country. However, Amnesty International and foreign embassies were invited to observe the trials of those accused in a 1996 coup attempt.

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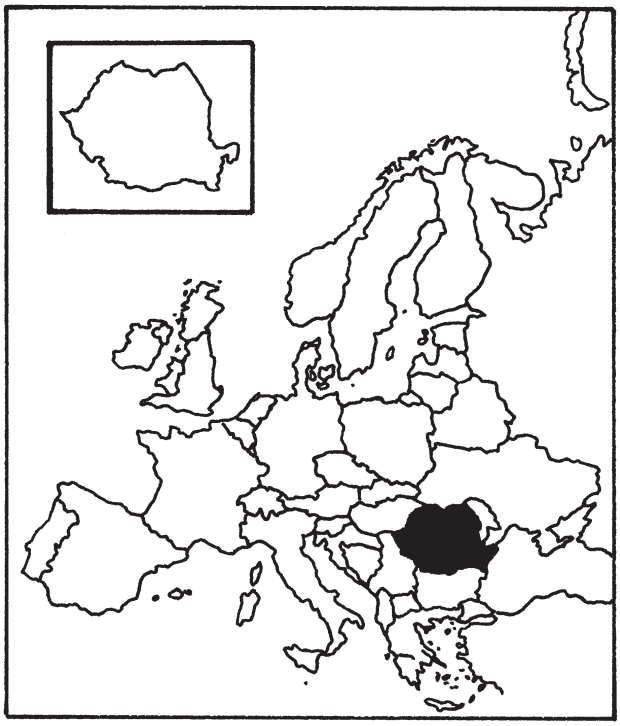
Romania



Romania is a country located in southeastern Europe, bordered by Moldova, Ukraine, Hungary, Bulgaria, and Yugoslavia. The population is approximately 23 million. Most of the population (89 percent) is ethnic Romanian, but there is a large Hungarian minority (9 percent). The main languages are Romanian, Hungarian, and German. Most Romanians are members of the Romanian Orthodox Church. The capital is Bucharest. Romania is a republic headed by a president.

BACKGROUND

Long dominated by the Ottoman Empire, Romania achieved its independence in the late nineteenth century. After World War I, it acquired the region of Transylvania, which contained a large minority of Hungarians. Romania was an ally of Germany during World War II. After the war, Romania was forced to join the communist bloc of the Soviet Union.

For the next forty years, Romania was run by a harsh Communist Party dictatorship. Although the Romanian government operated more freely than some of the Soviet Union's other European client states, this freedom was not granted to individual citizens. The Romanian Communist Party ruled harshly, and the government's security forces were some of the most repressive in the communist world.

With the rise to power of Mikhail Gorbachev in the Soviet Union, Eastern Europe began to free itself from Soviet control. Romanians joined this move toward freedom. At the end of 1989, many Romanians began to gather in anti-government demonstrations. On December 16, 1989, government security forces opened fire on a crowd of protesters. Hundreds of people were killed. Romania's dictator, President Nicolae Ceausescu, declared a state of emergency.

After the protests spread through other cities, the army abandoned the government and joined the rebellion. Despite the support of his security forces, Ceausescu was overthrown. After a brief trial, Ceausescu and his wife were found guilty of genocide and executed on December 25, 1989.

The new government was dominated by ex-communists, but they finally lost power in the 1996 elections.

Romania remains a poor country. The transition from a state-controlled economy to a market economy has left the country

struggling to match the prosperity of some of the other, more successful, ex-communist states.

HUMAN RIGHTS

Although the government protects the human rights of Romanian citizens, problems still exist.

The judiciary is theoretically independent. However, it sometimes succumbs to pressure from the executive. The courts, however, have been showing greater independence from government influences.

The police use beatings and torture against suspects. Some of those arrested have died while in police custody. Extrajudicial killings by the police remain regular occurrences. There have been investigations of police abuse, but with little result. There has also been a gradual improvement in police behavior, but much more remains to be done.

Although prisons in Romania do not meet international standards, they are improving. The government is building new modern prisons in an attempt to match the standards of the rest of Europe. Conditions, however, remain harsh. Prison authorities still use the "cell boss" system, in which some prisoners are chosen to help control the others. This system often leads to the abuse of prisoners by other prisoners. The government does allow visits by human rights monitors.

The government protects the privacy of its citizens and prohibits illegal monitoring, including phone tapping, of citizens. The security services do have the right to monitor phone conversations in national security cases, if they first gain court approval.

The constitution provides some protection for free speech and freedom of the press. The government, however, has the right to prosecute people who "defame the country" or commit "offenses to authority." This allows the government to arrest journalists who report on topics that the government finds troublesome. For instance, a number of journalists were arrested after reporting on government corruption. Some journalists have also been targets of violence while investigating government officials. Still, journalists function with a fair degree of freedom, and there is a wide selection of newspapers in Romania.

Although the constitution protects the right to worship freely, the government has been charged with failing to provide sufficient protection to all religious groups. Some local officials have been charged with harassing non-Orthodox Christians.

Discrimination is common against Hungarian and Roma minorities. A government decree enacted in 1999 permits students to be taught in Hungarian and Roma. Anti-Semitism is also widespread. Some newspapers attack Jews in print, and a number of Jewish cemeteries have been desecrated with neo-Nazi graffiti. Most political leaders condemn anti-Semitism and other forms of discrimination.

Romania remains one of the more homophobic countries in Europe. Consensual sex between adults of the same sex remains illegal, and some Romanians remain in jail for this reason.

Violence against women remains a serious problem. The government prohibits discrimination on the basis of sex, but it does not do enough to stop violence and discrimination against women. Rape is common, and police have difficulty prosecuting rapists because the law puts a heavy burden of proof on the prosecution (a rape must be witnessed and the rapist can avoid punishment if he marries his victim). Spousal abuse is common. Women are paid significantly less for the same work that men do.

Hundreds of street children such as this one live in Bucharest, October 1988.

Romania tries to protect the rights of children, but financial limitations mean that many children go unprotected or underprotected. Particularly problematic are Romania's 30,000 orphans living in state institutions, who are neglected and are not provided with sufficient medical care, food, and emotional support.

Disabled people's rights are not well protected by the government.

The government allows both local and international human rights groups to operate without restrictions. Officials are generally, but not always, responsive to the recommendations of human rights monitors.

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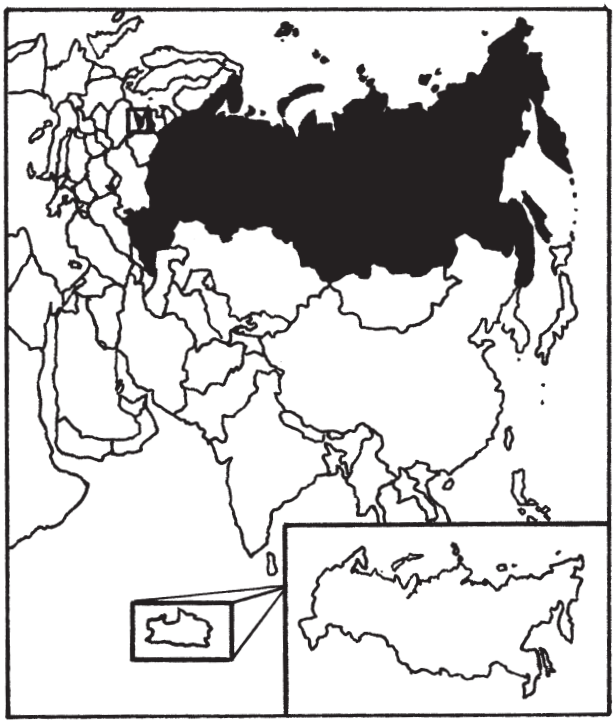
Russia



Russia is located in the north of Eurasia, and its modern boundaries (17.1 million square kilometers) encompass one eighth of the earth's landmass. It is home to approximately 148 million people. Russia is a multinational state with 130 ethnic groups; however, the majority of its population are ethnic Russians. In Russian history, the leading religions have been Russian Orthodox Christianity (throughout Russia) and Islam (in particular regions), although the years of communist rule in Russia have reduced the population's commitment to religious faiths.

BACKGROUND

Until the beginning of the twentieth century, Russia was a monarchy. The coup d'état of October 1917, and the civil war that followed, led to the formation of the Union of Soviet Socialist Republics (USSR) and its fifteen theoretically autonomous republics. The Soviet government was controlled by the Communist Party, which ruled Russia and its sister republics with brutal severity. The four Soviet constitutions of 1918, 1924, 1936, and 1977 fulfilled a largely propagandistic role; there were no real state-protected freedoms in Russia. In actuality, the legal system was deformed by totalitarian rule, the principle of the primacy of state and society over the interests of the individual were instilled, and millions of people were persecuted in the name of communist ideology.

The process of *perestroika* (restructuring) that began in the 1980s and the collapse of the USSR that followed in 1991, led to Russia's declaration of independence and the adoption of a new constitution in 1991. Currently the Russian Federation, which is made up of eighty-nine regions, is a presidential republic. The president is elected directly by the people and stands at the center of the federal government system. The powers of the current president, Vladimir Putin, are extremely broad—at times excessively so—and the checks and balances that are supposed to limit his power are ineffective. The Russian Federal Assembly is composed of two chambers: the Council of the Federation and the State Duma. The Council of the Federation is made up of two representatives from each region of the federation, and the State Duma is elected by popular vote for a term of four years.

The collapse of the USSR forced the Russian government, which had come to power on a wave of demands for change, to grant civil and political rights to the popu-

A teenage boy kept in an isolation room as punishment for unruly behavior. Moscow, April 1992.

lation. For the first time, the people were given a choice of candidates in elections, and a diversity of ideologies, politics, and parties became a reality. The principle of division of powers was established, and the right to private property and a market economy were recognized. Trial by jury was introduced; human and civil rights and freedoms in accordance with the constitution were recognized and guaranteed according to universally accepted principles and standards of international law.

HUMAN RIGHTS

The formal inclusion of human rights standards in the Russian constitution, however, did not guarantee their actual fulfillment in practice. While Russia's human rights record is far better than that of its predecessor, the Soviet Union, in practice, human rights often are restricted, ignored, or circumvented by government officials.

The development of democracy in Russia has not been easy or simple. This is the price to be paid for the decades of strict dictatorship and widespread terror. A constitutional crisis in 1993 was resolved by means of an armed conflict between supporters of the president, Boris Yeltsin, and the Parliament, in which Yeltsin prevailed. Election campaigns are openly financed in violation of the law, and corruption among officials has taken on a scale that threatens

society. Critics argue that Russian democracy has been moving in the direction of giving the president far too much power. President Putin, although elected in reasonably fair elections, acts in many ways like a military strongman.

Many human rights are not fully respected in Russia. Property rights, in particular, do not have deep roots in Russian society or institutions. The privatization of government property, which was then divided among a narrow group of individuals, helped accelerate the formation of a criminal economy. In addition, low standards of living (the minimum wage in September 1999 was less than $4 a month), as well as restrictions on freedom of enterprise through an unreasonable system of taxation, have created a Russia divided between the wealthy and corrupt and the poor and exploited. The sad state of the economy and massive impoverishment of the population in the post-*perestroika* period have directly affected human rights in the social sphere. Rights formally guaranteed in the constitution, including the right to work, the right to social security, the right to health care, and others are violated on a significant scale.

The freedoms of conscience and religion guaranteed by the constitution are violated by the Freedom of Conscience and Religious Associations Act adopted in 1997. When various churches and communities were registered on the wave of *perestroika*, in accordance with the liberal 1990 law, and received the opportunity to operate openly in Russia, this aroused the sharp displeasure of the Russian Orthodox Church, which considers Russia to be its canonical territory. Under its influence, the State Duma overwhelmingly adopted a restrictive law, in accordance with which all other religions or sects were obliged to reregister. Those religions that could not prove that they had existed in Russia since 1982 were limited as to their rights and activities.

In 1998, at the initiative of a Moscow prosecutor, a trial was held to disband a local community of Jehovah's Witnesses, which was the largest in the country. The primary accusations were that its members incited religious discord (which they manifested by recognizing their religion as the only true one by means of an incorrect interpretation of the Bible from the viewpoint of the prosecutor), refused to participate in political life (which includes participation in elections, celebration of state and other holidays, including Russian Orthodox Christmas), and demanded alternative civil service in place of military service.

The state cannot ensure all citizens the equal protection of the law in the case of discrimination. The collapse of the USSR and the heightening of ethnic conflicts have given birth to waves of hundreds of thousands of migrants and refugees. In certain regions of the North Caucasus (Chechnya, Dagestan) military action is under way from which the peaceful citizenry suffer the most. The Russian Army's brutal suppression of Chechen freedom fighters has resulted in a massive human rights catastrophe in that region. There are no less than 200,000 homeless people in Russia today, and the refugee population, victims of war and conflict, is growing daily.

The state of human rights is obviously troubled in the arena of justice. Due to a lack of material resources, the jury system required by the constitution is in place and operating in only nine of the eighty-nine regions of the federation. Prison conditions in the majority of prisons are inhumane and can be viewed as tantamount to torture. The practice

Woman cleaning up the remains of her condo in the destroyed town of Grozny, Chechnya, April 1995. Since this photo was taken, Grozny has been even more badly damaged.

of actual torture of those arrested and detained is widespread. Tuberculosis among prisoners has taken on epidemic proportions.

Russian citizens are forced to continuously defend their rights against the state. But many of Russia's human rights difficulties are rooted in its history. Understandably, it is impossible to turn a communist dictatorship into a democracy overnight, especially since Russia has never been a country with a highly developed legal culture, and human rights have traditionally been neglected. Freedoms of speech, thought, association, and movement are all achievements of recent years.

A human rights ombudsman has been selected, and the formation of his staff is nearing completion. The recent Russian application to join the European Court of Human Rights has enormous significance for the future realization of these rights and freedoms. The ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms has

opened the door to European justice for Russian citizens.

A key challenge facing Russia today is to ensure that the government abides by its commitments to protect human rights. If Russia can meet this challenge, it would mark an enormous transformation from the communist era.

James R. Lewis

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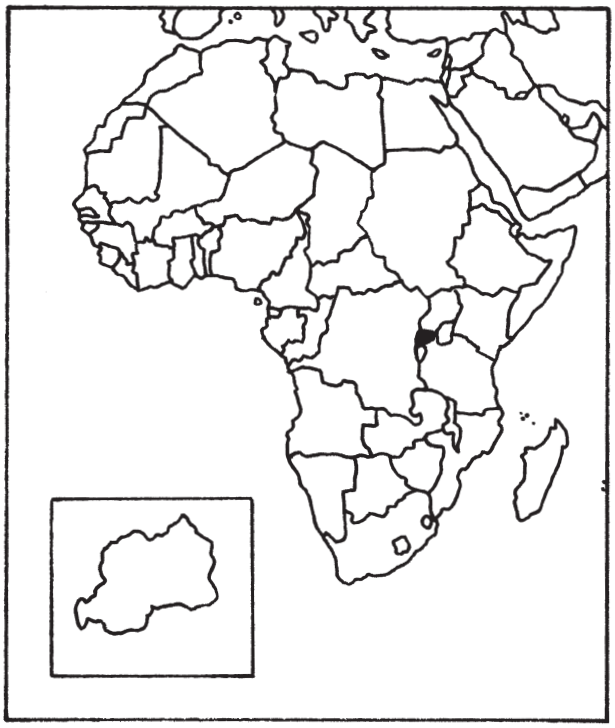
Rwanda



The Republic of Rwanda is situated in central Africa, bounded on the north by Uganda, on the east by Tanzania, on the south by Burundi, and on the west by the Democratic Republic of the Congo. Kigali is the capital city. The population of Rwanda, estimated at 7.6 million, is composed of three major ethnic groups: the Hutus, who comprise the majority of the population (80 percent), are farmers of Bantu origins; the Tutsi (19 percent), who may have arrived in the fifteenth century and until 1959 were the dominant caste; and the Twa (1 percent), who are descendents of the early settlers in the region. About 74 percent of the population is Christian; the rest follow Islamic and traditional beliefs. French, English, and Kinyarwanda are the main languages.

BACKGROUND

A Belgian colony, after World War II Rwanda became a United Nations (UN) trust territory with Belgium as the administrative authority. During their years in power, the Belgians did much to exacerbate tensions between the Tutsi and Hutu ethnic groups. In 1959, on the eve of independence, the Tutsi monarchy was overthrown by a revolt organized by the Hutu population. Consequently, more than 160,000 Tutsi were forced to flee to neighboring countries. Two years later, the Party of the Hutu Emancipation Movement (PARMEHUTU) won the UN supervised elections and formed a new government. In 1962, Rwanda achieved complete independence from Belgium.

In 1973, a military coup dissolved the National Assembly and abolished all political activity. In 1978, the Rwandans went again to the polls. President Juvénal Habyarimana, leader of the National Revolutionary Movement for Development (MRND), was elected president. He promised to eliminate the widespread corruption and to transform Rwanda from a one-party state to a multiparty democracy. President Habyarimana was re-elected in 1983 and 1988. Despite his promise to allow more freedom and justice, Habyarimana and his Hutu followers kept themselves in power by fanning the flames of ethnic hatred against the Tutsi minority.

In 1990, the Uganda-based Rwanda Patriotic Front (RPF), made up of ethnic Tutsi Rwandan exiles, invaded Rwanda, claiming to fight for greater justice. In 1992 peace

talks began. In April 1994, the airplane carrying President Habyarimana was shot down. The Tutsi RPF was blamed for the attack, although it was almost certainly extreme members of Habyarimana's own party who shot down his plane, most likely to halt the peace talks. The government, using the attack as an excuse, organized a mass slaughter of the Tutsi population. Military troops and militia groups began killing all Tutsis, as well as Hutu political moderates, precipitating one of the worst genocides in history. Concurrently, the RPF resumed the civil war, quickly defeated the Rwandan Army, and took control of the country. They did not do so, however, in time to stop the mass killings. As a result of the civil war and the genocide, more than 800,000 people were brutally murdered. In addition, after the murders 2 million Hutus, fearing Tutsi revenge, had escaped to Zaire, Tanzania, and Burundi. The RPF has retained the control of the government since then.

Rwanda's extremely poor economy was further challenged by the civil war. Most of the country's economic infrastructure was destroyed. The overall economy largely relies on international aid and humanitarian operations. About 90 percent of the population survives through subsistence agriculture; the industrial sector is completely neglected. Tea and coffee are the main exports.

HUMAN RIGHTS

The RPF is a much better defender of human rights than was the Hutu government of President Habyarimana, but problems still

The rows of dead bodies are Rwandan cholera victims. Goma refugee camp, Zaire, July 1994.

The skulls of Tutsis murdered by Hutus, July 1995.

remain. The human rights record in Rwanda continues to be poor in several areas.

Because the RPF remains the ruling and only political party, citizens do not have the right to change their government. Numerous human rights abuses are reportedly committed by the security forces, in the form of extrajudicial killings, torture and beating of suspects, and arbitrary arrest and detention. The government occasionally takes some steps to punish the perpetrators. The number of disappearances has been increasing, and credible reports identify some of the missing persons as being former Hutu insurgents trying to return to their homes in the northwest region.

Although some Hutus are unfairly targeted by government forces, Hutus have also been guilty of attacks and human rights violations against innocent Tutsis. Insurgent Hutu militias, which include members associated with the 1994 genocide, continue to commit hundreds of killings, targeting Tutsi refugees from the Democratic Republic of the Congo, Hutu governmental officials who work with the Tutsis, local Hutu politicians who also work with the Tutsis, and those Hutus who refuse to support the insurgents' cause. These actions have increased the friction between the Hutu population and the government.

Prison conditions are harsh. Overcrowding is a major problem, and sanitary conditions are extremely poor. Thousands of persons have died while in custody in the past few years. Malnutrition, inadequate

medical care, and mistreatment have been regarded as the main causes of those deaths.

The judicial system is inefficient and subject to the influence of the executive. Pretrial detentions are lengthy, with 90 percent of the persons incarcerated awaiting trial on genocide charges. The shortage of lawyers, coupled with the extreme poverty of most defendants, make it almost impossible for the accused to be legally represented.

The government restricts freedoms of speech and the press. Media sources are restricted and most journalists practice self-censorship. The government owns the only radio and television stations.

The government also restricts freedoms of assembly and association.

Discrimination and violence against women are serious problems. Women face discrimination mostly in education, employment, and property issues. The government appears to be committed to children's welfare and, with the help of local and international organizations, is trying to secure assistance in education, health care, and other primary needs. Widespread poverty, however, interferes with the government's ability to carry through on its intentions regarding children's welfare.

Commitment has also been shown by the government's effort to reconcile ethnic differences and tensions between the Tutsi and Hutu. The process, however, is slow. Solid cooperation has been established between the government and the United Nations High Commissioner for Refugees in assisting refugees and asylum seekers.

A variety of local and international human rights groups operate in the country; however, governmental restrictions are often imposed. The UN Human Rights field office for Rwanda has been closed since May 1998 because of a disagreement on continuing its monitoring function. Some Tutsi resent the UN because it did not act to stop the 1994 mass murders.

Barbara and Michela Zonta

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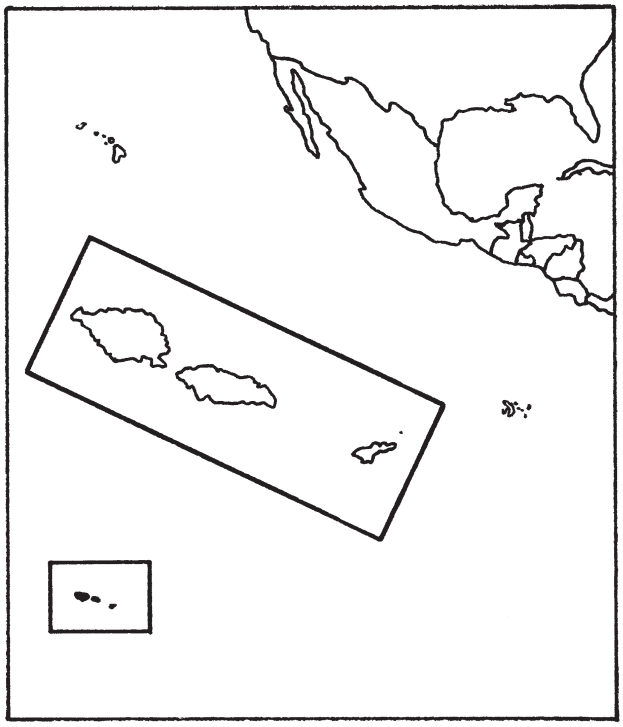
Samoa



The Independent State of Samoa, formerly known as Western Samoa, consists of a group of islands in the South Pacific Ocean, about halfway between Hawaii and New Zealand. Apia is the capital city. Samoa's 1999 population was estmated at 229,979. Samoans constitute nearly 93 percent of the population, whereas Euronesians (people of mixed Samoan and European blood) constitute 7 percent of the population. Virtually all the population is Christian. Samoan and English are the official languages.

Samoa is a constitutional democracy. Its government features an executive branch, a unicameral legislative assembly, and an independent judiciary (the Lands and Titles Court, the Supreme Court, and the Court of Appeals).

Traditionally, the economy has been dependent on development aid, private family remittances from overseas, and agricultural exports (coconut cream, coconut oil, and copra). Agriculture employs two-thirds of the labor force but is vulnerable to devastating storms. The manufacturing sector mainly processes agricultural products. Tourism is an expanding sector. The government has directed its efforts to expand the economy by deregulating the financial sectors, encouraging investment, and continuing fiscal discipline.

The history of Samoa is marked by the disputes over the control of its territory between the United Kingdom, the United States, Germany, and New Zealand. The 1889 Final Act of the Berlin Conference on Samoan Affairs brought Samoan independence and neutrality. After the death of King Laupepa in 1898, a series a conventions resulted in the annexation of Eastern Samoa to the United States, which became known as American Samoa and remains a U.S. territory. Germany took control of Western Samoa. In 1914, after the outbreak of war in Europe, New Zealand occupied Western Samoa and was granted a League of Nations mandate over the territory.

In December 1946, Samoa was placed under a UN trusteeship with New Zealand as administering authority. From 1947 to 1961, a series of constitutional advances brought Samoa from dependent status to self-government and finally to independence. The new constitution was approved in 1960; formal independence was achieved in 1961.

The government generally respects the human rights of its citizens. Some abuses

arise out of political discrimination against women and those who are not family heads. The constitution prohibits discrimination based on race, sex, religion, disability, language, or social status. However, women are often subject to discrimination. In addition, social custom tolerates their physical abuse at home. Victims of rape usually refrain from pressing charges because tradition and custom discourage them from reporting the crime.

Societal pressures and customary law sometimes interfere with the ability to conduct fair trials. There are also some restrictions on freedoms of speech, press, and religion. In particular, village councils sometimes banish or punish families that do not adhere to the prevailing religious belief of the village.

The government has passed no legislation pertaining to the status of disabled persons or regarding accessibility for the disabled.

Human rights organizations operate with no interference by the government.

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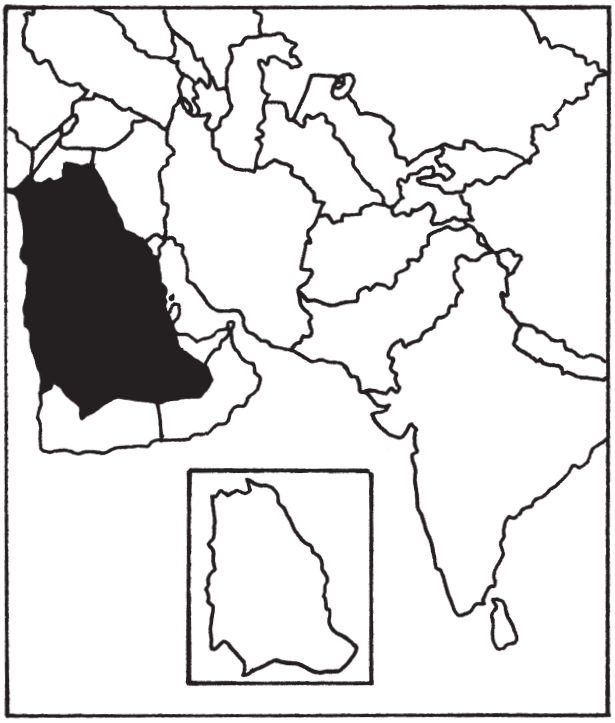
Saudi Arabia



Saudi Arabia is located on the Arabian Peninsula and is bordered by Kuwait, Iraq, Jordan, Yemen, Oman, Qatar, and the United Arab Emirates. The capital is Riyadh. The population of Saudi Arabia is approximately 21 million, made up of Arabs (90 percent) and Afro-Asians (10 percent), nearly all of whom are Muslim. There are about 4 million foreign workers. The government is a monarchy ruled by King Fahd.

BACKGROUND

Arabia was the birthplace of the prophet Mohammed, who was the founder and first leader of Islam. Mohammed, who lived in the early seventh century, was the first leader to unite the Arabian Peninsula. The Arabian Peninsula became the site of Islam's two holiest sites: the cities of Mecca, where Mohammed first preached the new faith, and Medina, where he spent years in exile. After Mohammed's death, the peninsula was ruled by a succession of Islamic dynasties over the centuries.

In 1913, Ibn Saud led a revolt against the Ottoman Turks and retook part of the peninsula. With British support, he became the new ruler of the region, controlling most of the peninsula, with the exception of the southeastern coastal areas. Ibn Saud died in 1953, but the throne passed to members of his family.

Saudi Arabia is a vitally important member of the Muslim world. Visiting Mecca one is a scared duty of all Muslims. Millions of Muslims make the pilgrimage every year.

Saudi Arabia gets most of its vast wealth from oil exports. The country is a leading member of the Organization of Petroleum Exporting Countries (OPEC). Saudi Arabia's oil profits, combined with its low population, give its people one of the higher per capita incomes in the world. Because of the benefits the government can afford to provide to the Saudi people as a result of this oil-based wealth, there has been relatively little resistance to the Saud family's autocratic rule.

HUMAN RIGHTS

The Saudi government does not do a good job of protecting the human rights of its people. Thus the king of Saudi Arabia does not allow citizens to freely choose their own

government. There are also many other human rights problems in Saudi Arabia.

Saudi Arabia is also dependent on Islamic law as the foundation of its judicial system. Islamic law (called shari'ah), as interpreted by conservative Saudi Muslim clerics, greatly restricts the rights of Saudis, particularly those of Saudi women. By contrast, Iran, which also uses Islamic law as the basis for its legal system, has a more liberal interpretation of Koranic verses and law.

Beyond strict laws, Saudi security forces regularly abuse the rights of detainees and prisoners. Police are believed to use torture. The use of beatings and sleep deprivation is common. The government makes little effort to restrain the behavior of its security forces. Prisoners are usually brought to trial with reasonable speed, but the Saudi government provides few safeguards to insure against arbitrary and extended detentions. Human rights advocates believe that a number of people are unfairly detained for extended periods every year. In particular, those arrested for political reasons are often detained by the security forces for indefinite periods of time.

Saudi courts hand down the type of harsh punishments that most of the world considers human rights violations. Saudi criminals can be flogged, have a limb cut off, or be executed by beheading. In 1999, the Saudi government executed more than 100 people. Amputations are less common. In 1999, there were two reports of robbers having their right hands and left legs chopped off.

The independence of the judiciary is usually respected in practice but Saudi courts are uneven in their administration of justice. Members of the government, the royal family, their friends, and their associates are not required to appear before Saudi courts in most matters.

Saudi prisons meet international standards. Most prisoners are usually treated reasonably well, provided with good sanitation and sufficient food. However, human rights monitors are not allowed to visit Saudi prisons.

The Saudi government does not protect its people's right to privacy. Government officials open private mail, searching for illegal or subversive materials (including pornography or non-Muslim religious material). The government also employs informal spies, who report on private conversations.

There is no freedom of speech in Saudi Arabia. Saudis are not allowed to criticize the government, Islam, or the royal family. The press practices self-censorship and does not cover sensitive issues. Foreign journals are censored before being allowed into the country. The government controls radio, television, and Internet access and content. Academic freedom is also restricted.

The Saudis do not protect religious freedom. Islam is the official religion. No other religions are allowed to be established. Public non-Muslim religious activity is forbidden, and the government arrests many of those who try to violate this law. This is particularly difficult for Saudi Arabia's immigrant workers, especially the large group of Filipinos, who are mostly Catholic. Even Muslims are restricted in their right to worship freely. Saudi Arabia follows the Sunni branch of Islam, and so targets those Muslims who follow Islam's Shi'a branch. Shi'a Muslims have been arrested on slight pretexts and held in jail for lengthy periods of time. Also, Shi'a clerics have been attacked by ardent Sunni believers. In addition, Shi'a Muslims are discriminated against in employment.

There is ethnic discrimination in Saudi Arabia. In particular, as mentioned earlier, Saudi Arabia has a large population of im-

migrant workers who are subject to discrimination. They have few legal rights and are vulnerable to immediate expulsion for small crimes, including for practicing a religion other than Islam. With little government protection, workers also are vulnerable to physical abuse by their employers.

Women do not have their rights protected in Saudi Arabia. Women have no political rights. Women's testimony does not have equal weight in the legal system. It takes the testimony of two women to equal the weight of a man's testimony. Violence against women is common. Also, Saudi men can prevent their female relatives from leaving the country. Women are forbidden from working in many fields and make up only a small part of the workforce. Women must also wear clothes which hide their entire bodies from the gaze of men. Women must sit in separate areas in public places. Women are not allowed to drive cars.

Other than restricting the activity and freedom of girls, Saudi Arabia generally protects the rights of children.

The rights of the disabled are not completely protected, and not all facilities are accessible to those who are disabled. The government has, however, been working to increase awareness of the problems and needs of the disabled.

Saudi Arabia does not allow free access to international human rights monitors.

Carl Skutsch

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Senegal

The Republic of Senegal is situated in West Africa on the Atlantic Ocean, between Mali, Mauritania, Guinea, Guinea-Bissau, and Gambia. Dakar is the capital city. The country's population is approximately 10 million. Ethnic groups include Wolof (43 percent), Fulani and Toucouleur (23 percent), Serer (15 percent), Diola, Mandingo, and others (19 percent). In addition, about 50,000 Europeans (mostly French) and Lebanese reside in the country. French is the official language; however, most Senegalese speak one of Senegal's indigenous languages. About 92 percent of the population is Muslim, whereas the remainder are Christian (2 percent) or follow indigenous beliefs (6 percent).

BACKGROUND

A French colony, Senegal achieved independence in 1960. The government is decentralized and divided into ten administrative regions, each headed by a governor appointed by and responsible to the president. There is also a 140-member unicameral National Assembly. The constitution provides for the independence of the judiciary.

The country's economy is largely based on agriculture, particularly on peanut production. However, farming production is not sufficient for the country's food needs. Fish products, phosphates, fertilizers, and tourism represent the major sources of foreign exchange. They account for about one-third of the gross domestic product (GDP). The per capita GDP is estimated at $600 annually. In recent years, the government has been implementing a series of economic reforms to encourage private enterprise and foreign investment. Nevertheless, Senegal continues to rely heavily on international financial assistance.

Senegal maintains a high profile in many international organizations, including the United Nations (UN), and keeps good relations with other African countries.

HUMAN RIGHTS

The human rights record has significantly improved in recent years. However, problems persist in some areas. Citizens cannot fully exercise their right to change the government. The Socialist Party continues to dominate the political life, with the last parliamentary elections in 1998 being ham-

Refugees build a traditional straw hut, August 1989.

pered by fraud, irregularities, and flaws in the system. There were also several violent incidents related to the elections.

Soldiers of the secessionist Movement of Democratic Forces of the southern Casamance region continue to commit human rights abuses, including killings, beatings, and other acts of violence against civilians. The government forces, in the course of violent clashes with the insurgents, also were reportedly responsible for civilian deaths.

The security forces are reported to beat and torture suspects during questioning and pretrial detention. In addition, the authorities at times violate constitutional provisions prohibiting arbitrary arrest and detention. Pretrial detentions are lengthy, with an average of two years passing between the charging phase and trial.

The judiciary is subjected to the influence of the executive and external pressures, due to their low salaries and insufficient resources. Prison conditions are poor, with overcrowding and inadequate nutrition and health care being the major problems.

Freedoms of speech and the press are generally respected. Magazines, newspapers, and radio stations are owned privately and operated independently. The only television station is owned by the government. On occasion, the authorities restrict freedom of assembly by denying authorization for public demonstrations organized by unions or political parties.

Antidiscrimination laws are not enforced, especially those that are supposed to protect women. Women continue to be underrepresented in government, political life, and business. Discrimination against women is particularly evident in rural areas where Islamic and traditional customs are strong. These traditions confine women to traditional roles. In addition, women have limited educational opportunities.

Violence against women, including domestic violence, is widespread. However, most cases go unreported and generally the police do not intervene in domestic disputes. Child abuse is also a problem. In particular, female genital mutilation is still practiced in rural areas. In January 2000, the government banned the practice.

The government cooperates with the United Nations High Commissioner for Refugees and provides assistance to refugees and asylum seekers from other countries.

Several human rights groups operate freely in the country and publish their findings on human rights cases. The government is generally very receptive to their views.

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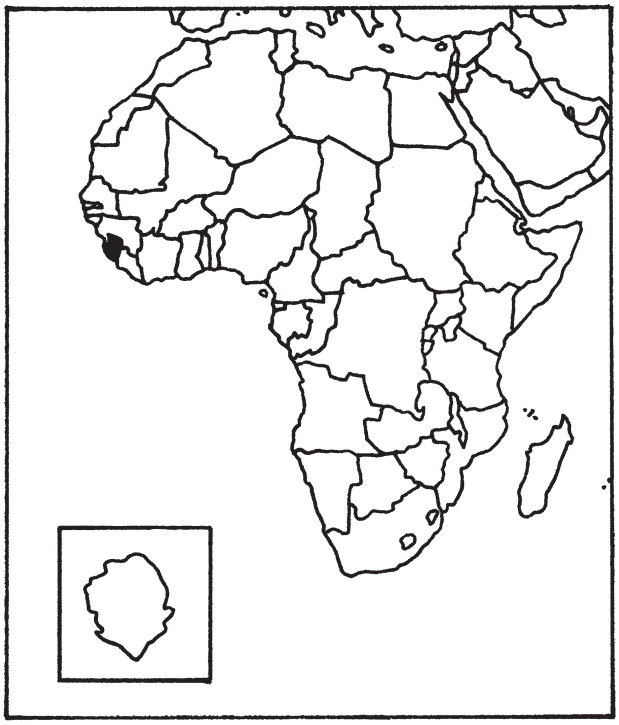
Sierra Leone



The Republic of Sierra Leone is situated in West Africa, bordering the Atlantic Ocean, between Guinea and Liberia. Freetown is the capital city. The country's population is approximately 5 million. Ethnic groups include about twenty African ethnicities (90 percent), Creoles, refugees from Liberia's recent civil war, and small percentages of Europeans, Lebanese, Pakistanis, and Indians. English is the official language, although only a literate minority speaks it. All ethnic groups speak distinct primary languages and many use Krio, an English-based Creole, as their second language. About 60 percent of the population is Muslim, whereas the remainder professes traditional beliefs (30 percent) and Christianity (10 percent).

BACKGROUND

A British colony, Sierra Leone achieved independence in 1961 and established a parliamentary system of government while staying within the Commonwealth (formerly the British Commonwealth of Nations). Despite democratic beginnings, its recent history was characterized by a succession of military coups. In 1997, the democratically elected government of President Ahmad Tejan Kabbah was overthrown by members of the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), who established a junta rule. However, in 1998, the AFRC and RUF were defeated by the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG), with a strong Nigerian contingent, which suppressed the rebellion and planned the return of a democratic government.

The next two years were chaotic. A democratic government was reestablished, but RUF guerrillas continued to operate, savagely attacking their opponents and innocent bystanders alike. The intervention of United Nations (UN) troops, backed by a British military unit, helped to push the RUF out of the cities, but did not destroy it entirely. At present, the situation has not stabilized.

Sierra Leone is a constitutional democracy with a unicameral legislature. The president is both the head of state and head of government. He appoints the ministers of the cabinet with the approval of the House of Representatives. The latter holds the legislative power, and its eighty seats are dis-

Rebels chop off the hands and limbs of innocent civilians, April 1999.

tributed proportionally among sixty-eight party representatives elected by popular vote and twelve paramount chiefs elected in separate elections. The judicial system is based on English common law and customary laws. In theory, the judiciary is independent, but it is not necessarily so in reality.

Most of Sierra Leone's governmental structure is haphazard. The years of fighting, and the ongoing threat of guerrilla attacks, have left in place a government bureaucracy that barely functions.

Sierra Leone remains a very poor country. Most of the population is engaged in subsistence agriculture, and the light manufacturing sector focuses primarily on the processing of raw materials. The junta period, from May 1997 to February 1998, led to UN sanctions, and the continued civil strife has brought normal extraction of raw materials and agricultural production almost to a complete halt. The government's budget relies heavily on foreign assistance to reconstruct the economy and rebuild schools, hospitals, roads, and bridges that were damaged or destroyed in the conflict.

Sierra Leone is a member of a number of African and international organizations, including the UN and its specialized agencies; the Commonwealth; the Organization of African Unity; and the Non-aligned Movement.

HUMAN RIGHTS

The country's human rights record continues to be poor in most areas. Members of

the security forces and Civil Defense Forces (CDF) continue to kill, torture, and beat suspected rebels or collaborators of the ARFC and RUF.

On the other hand, the ARFC and RUF forces continue to commit even more serious abuses, including mass killings, rape, mutilations, destruction of property, kidnapping, and other brutal assaults against civilians, political opponents, and members of non-governmental and humanitarian organizations, including employees of the International Committee of the Red Cross. There were reports of civilians decapitated, burned alive, or wounded with machetes. During the spring of 2000, journalists in Sierra Leone took photographs of men, women, and children whose hands had been hacked off by the rebels. No reason was given in many cases for these acts of violence. Other reports highlight villagers, missionaries, and aid workers being abducted and forced into labor, women being forced into sex slavery, and young boys being recruited as child soldiers. The rebel campaign known as "Operation No Living Thing" has resulted in the internal displacement of thousands of people. In addition, hundreds of thousands of people have crossed the borders into Guinea and Liberia to escape the conflict.

Due to the civil conflict, the judicial system has not been functioning in many parts of the country, with the government forces arresting and detaining without formal charge persons suspected of collaborating with the rebels. The shortage of judicial officers and facilities is causing long pretrial detentions.

Prison conditions are harsh and life-threatening. Overcrowding, inadequate nutrition, poor sanitation, and almost non-existent health care are reported as major problems.

Journalists and human rights activists have been targeted by the rebel forces and a number have been wounded and killed. The government has become increasingly restrictive in regard to the press and security-related issues.

Due to a low literacy rate and the high cost of newspapers and television, the radio remains the most popular means of public information. There are several private and state radio stations covering a variety of political viewpoints. Although the government respects academic freedom, most higher education institutions have been destroyed by the civil conflict.

The constitution prohibits discrimination based on ethnicity, sex or gender; however, members of minority groups face discrimination in government, business, and the military. In addition, residents of non-African descent, notably the Lebanese community, are restricted in their right to obtain citizenship.

Women are discriminated against in education, employment, health facilities, and social freedom. Women's rights and status vary according to the customary laws of each ethnic group, but are generally low. Violence against women, including spousal abuse, is common. However, police rarely intervene in domestic disputes. Prostitution is on the rise because of an increased displacement of women from their homes. Female genital mutilation is widely practiced.

The government is committed to children's welfare, but currently the resources to provide basic education and health care are insufficient. Child labor and recruitment by the military forces are serious problems. In particular, rebels forces have been forcing young boys into involuntary servitude as soldiers and young girls into sexual slavery.

The ability of citizens to move about within the country is restricted for security reasons. The government cooperates with the United Nations High Commissioner for Refugees on repatriation and asylum matters.

There are several domestic and international human rights organization operating in the country. The government is usually cooperative and responsive to their views.

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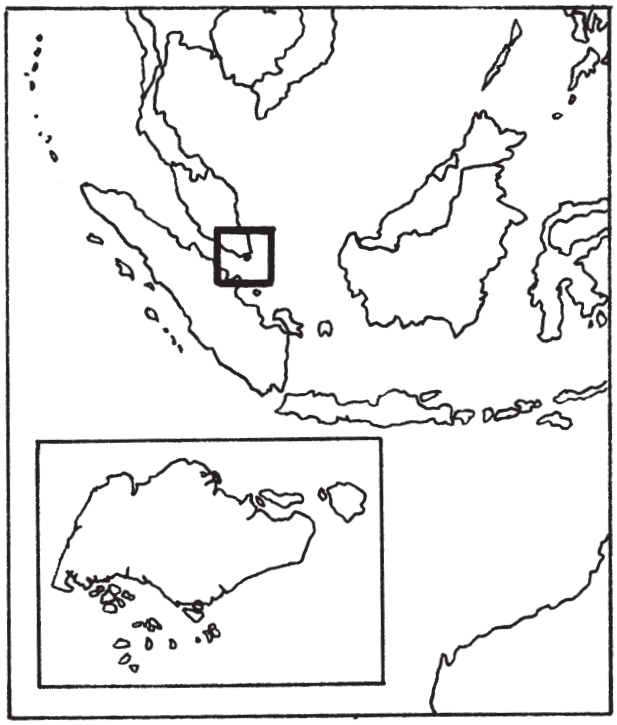
Singapore



The Republic of Singapore is a group of islands in Southeast Asia, between Malaysia and Indonesia—the most important of these, the island of Singapore, contains 90 percent of Singapore's land area and lies just across from the Malay Peninsula. Singapore is the capital city. Singapore's population was estimated at 3.5 million in 1999 and consists of Chinese (76.4 percent), Malays (14.9 percent), Indians (6.4 percent), and other ethnic groups (2.3 percent). Buddhism, Islam, Christianity, Hinduism, Taoism, and Confucianism are among the religions practiced throughout the country. Chinese, Malay, Tamil, and English are the official languages.

BACKGROUND

Singapore has an open, free-market economy, based on strong service and manufacturing sectors and excellent international trading links derived from its history as a trade center. Although Singapore faced the Asian financial crisis better than its neighbors, it suffers from serious financial problems resulting from rising labor costs as well as the strength of the Singapore dollar relative to its neighbors' currencies. The government has made a variety of efforts to address this labor cost problem, including cutting costs, increasing productivity, improving infrastructure, and encouraging high value-added industries.

Singapore is a parliamentary republic. The executive branch of the government consists of the president and the prime minister. A unicameral, eighty-three-member Parliament constitutes the legislative branch, whereas the judiciary consists of a Supreme Court, the Court of Appeals, and a number of subordinate courts. Singapore's democracy is limited in practice by the fact that the ruling party has won all elections since 1959. Voting is not rigged, but some critics charge that the government uses various techniques, such as defamation suits, to prevent opposition parties and others from making public their concerns.

Singapore was little known to the West until 1819, when Sir Thomas Stamford Raffles arrived as an agent of the British East India Company. In 1867, the Straits Settlements (Singapore, Penang, and Malacca)

became a British Crown colony. The Japanese captured the island of Singapore in 1942, but the British eventually recaptured it in 1945. Singapore remained a British colony until 1946, when the Straits Settlements was dissolved. In 1959, Singapore became self-governing, and, in 1963, it joined the newly independent Federation of Malaya, Sabah, and Sarawak to form Malaysia. After a period of friction between Singapore and the central government in Kuala Lumpur, Singapore separated from Malaysia on August 9, 1965, and became an independent republic.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, but there are still problems is some areas.

The constitution prohibits torture. However, the police occasionally mistreat detainees by depriving them of sleep, interrogating them in cold rooms where the prisoners may be stripped of their clothes and doused with water.

The government authorities sometimes use their discretionary powers to infringe on citizens' privacy rights. Although the police must have a warrant in order to conduct a search, they may search a person, home, or property without a warrant if they decide that such a search is necessary to obtain evidence.

The constitution provides for freedoms of speech and expression. However, there are official restrictions on these rights. In practice, the government restricts freedoms of speech and of the press and intimidates journalists into practicing self-censorship. The government may prohibit or place conditions on publications that incite violence, that counsel disobedience to the law, that might arouse tensions among the various racial, religious, and language groups, or that might threaten national interests, national security, or public order. The government routinely uses these laws to discourage political opposition and criticism. Newspapers printed in Malaysia may not be imported. The Singapore Broadcasting Authority (SBA) develops censorship standards for the broadcasting industry as well as for the Internet.

The constitution grants citizens the rights to peaceful assembly and association but permits Parliament to impose restrictions "as it considers necessary or expedient" in the interest of national security, thus the government restricts these rights in practice. The government closely monitors political gatherings, regardless of the number of persons present. Most associations, societies, clubs, religious groups, and other organizations with more than ten members must be registered with the government under the Societies Act. In 1999, a leader of the opposition party claimed that the public speaking permits he requested were denied. When he attempted to hold meetings in 1998 and 1999, he was fined and jailed for lack of a permit.

The constitution provides for freedom of religion, and the government generally respects this right in practice, although it bans some religious groups. In particular, it banned Jehovah's Witnesses in 1972 and the Unification Church in 1982. The government does not tolerate any speech or action, including religious speech or action, that may affect racial or religious harmony. The government forbids what it deems to be "inappropriate involvement" of religious groups in political affairs.

The constitution provides citizens with the right to change their government peacefully through democratic means. However, the People's Action Party (PAP), which has

held power continuously for over four decades, uses the government's extensive powers to place significant obstacles in the path of political opponents. In particular, the PAP uses patronage, political control of the press and the courts, restrictions on opposition political activities, and its complete control of the political process to maintain its power.

Women have the same legal rights as men in most areas, although few hold leadership positions. Violence against women does occur, but is generally prosecuted by the authorities.

There are no non-governmental organizations, with the exception of the opposition political parties, that actively and openly monitor alleged human rights violations.

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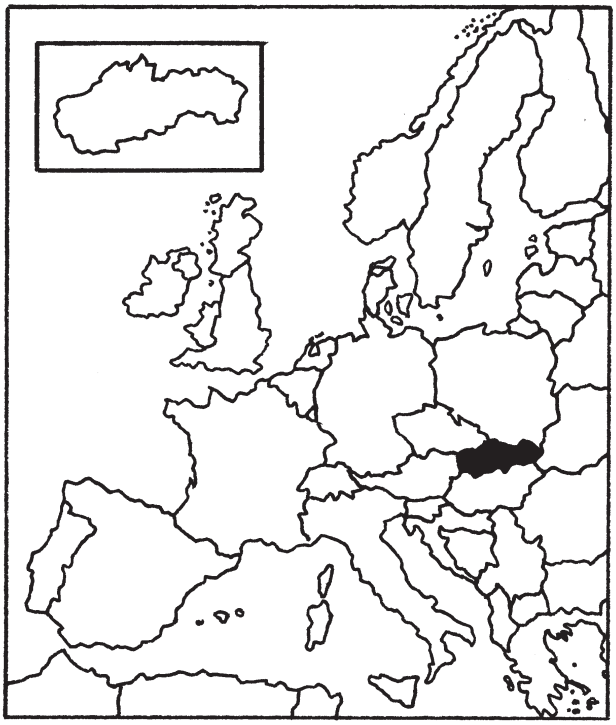
Slovakia



The Slovak Republic (also known as Slovakia) is in central Europe, south of Poland. Bratislava is the capital. Slovakia's population, which was estimated 5.4 million in 1999, comprises the following ethnic groups: Slovak (85.7 percent), Hungarian (10.7 percent), Roma (1.5 percent), and Czech (1 percent). Over 60 percent of the population practices Roman Catholicism; the rest of the population is atheist (9.7 percent), Protestant (8.4 percent), Eastern Orthodox (4.1 percent), or practices other religions (17.5 percent). Slovak is the official language, although Hungarian is also widely spoken.

Slovakia is a parliamentary democracy. The president, the prime minister, and the cabinet represent the executive branch of the government, while the legislative branch consists of the unicameral National Council of the Slovak Republic. The Supreme Court and the Constitutional Court form the judiciary.

Slovakia's history has been marked by centuries of foreign rule, mainly by Hungary. In 1918, it joined with its neighbors to form the new nation of Czechoslovakia. After World War II, Czechoslovakia became a communist nation within Soviet-ruled Eastern Europe. When Soviet Union collapsed in 1989, Czechoslovakia became an independent country once again. The Slovaks and the Czechs eventually separated peacefully on January 1, 1993.

Slovakia has experienced a great deal of difficulty in its transition from a centrally controlled economy to a modern free-market oriented economy. Its gross domestic product (GDP) growth has been slow; the budget and current account deficits are too large; external debt is growing uncomfortably fast; unemployment is high and rising; corrupt insider deals persist; and demand is weakening for Slovakia's key exports. The government has been trying to address these problems by trying to join the Organization for Economic Cooperation and Development and European Union; cutting government wage and infrastructure spending; boosting some taxes and regulated prices; expanding privatization to companies formerly considered strategic; restructuring the financial section; encouraging foreign investment; and reenergizing the social partnership with labor and employers.

The government generally respects most of the human rights of its citizens.

Among the violations that continue to be reported are police brutality and neo-Nazi skin-

An abandoned Roma girl who suffers from a skin disorder, September 1994.

head violence against Roma. The Roma, who represent the second largest ethnic minority in the country, suffer from high levels of poverty and face significant societal discrimination in employment, housing, and the administration of state services. Some anti-Semitic incidents occur at times, and some discrimination against the Hungarian minority appears to persist. Discrimination and violence against women, particularly sexual violence, and the abuse of children also represent serious and underreported problems. Among the most frequent crimes committed against children are nonpayment of child support, sexual violence, drug abuse, and beatings.

A number of human rights groups operate without government restriction, investigating and publishing their findings on human rights cases.

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Slovenia

The Republic of Slovenia is located in southeastern Europe, near the Eastern Alps. It borders the Adriatic Sea, Italy, Hungary, Austria, and Croatia. Ljubljana is the capital city. The population, which was estimated at nearly 2 million in 1999, comprises Slovenes (91 percent), Croats (3 percent), Serbs (2 percent), Muslims (1 percent), and other ethnic groups (3 percent). Slovenian is the official language, although 6 percent of the population speaks Serbo-Croatian. The majority of the population practices Roman Catholicism. Other religions include Lutheranism and Islam, and 4 percent of the population is atheist.

Slovenia is a parliamentary democracy. The president (the head of state) represents the executive branch of the government, while a unicameral legislature makes up the legislative branch. The Constitutional Court, several regular courts, and the Supreme Court form the judiciary.

The history of Slovenia is marked by centuries of foreign rule, particularly by Bavarian dukes and the Republic of Venice. Its territory was part of the Hapsburg Empire from the fourteenth century until 1918, when it joined with other southern Slav states in forming the Kingdom of Serbs, Croats, and Slovenes—later renamed the Kingdom of Yugoslavia. Yugoslavia fell to the Axis powers during World War II. After communist resistance to German and Italian occupation, it became a communist country under the leadership of Josip Broz, known as Tito. During the communist era, Slovenia became Yugoslavia's most prosperous republic. After Tito's death, Slovenia underwent a flowering of democracy. The Republic of Slovenia declared its independence on June 25, 1991.

Since independence, Slovenia has pursued economic stabilization and further political openness. Slovenia has one of the highest per capita gross domestic products (GDPs) of all the economies of the region. It also exhibits fairly moderate inflation and a comfortable level of international reserves. Industry (mid- to high-tech manufacturers) and construction comprise more than one third of its GDP, and services—particularly financial services—make up an increasing share of output (60 percent).

Slovenia is a member of the United Nations, a participant in the Stabilization Force deployment in Bosnia, and a charter World Trade Organization member.

The government respects the human rights of its citizens, and the law and judiciary provide adequate means of dealing with individual instances of abuse. Violence against women occurs but is prosecuted by the authorities. The rights of children are also protected. Legally, there is no discrimination allowed against the disabled. In practice, not all facilities are accessible to the disabled, but the government is working to improve this situation.

Independent human rights monitoring groups promote respect for human rights and freedoms and freely investigate complaints about violations.

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Solomon Islands

The Solomon Islands are situated in the southwest Pacific, east of New Guinea, and include hundreds of small islands. Honiara (or Guadalcanal) is the capital city. Three major ethnic groups comprise the population of approximately 455,000: Melanesian (93 percent), Polynesian (4 percent), and Micronesian (1.5 percent). English is the official language; however, about 90 local languages, including Solomon Islands pidgin, are spoken as well. About 93 percent of the population is Christian, with the five major creeds being Anglican (34.7 percent), Roman Catholic (19 percent), Baptist (17 percent), Methodist (11 percent), and Seventh-Day Adventist (10 percent).

A British protectorate, in 1978 the Solomon Islands became an independent country within the Commonwealth.

The country is a parliamentary democracy. The British monarch, Queen Elizabeth II, is the head of state, and is represented by a governor general. The prime minister, who is elected by the Parliament, holds the executive power together with the govenor general. The unicameral Parliament represents the legislative power. The judiciary is independent.

The majority of the population is engaged in subsistence farming and fishing. A major activity on the islands is export of tropical timber. However, due a drastic drop in demand in 1998 following Asia's economic troubles, 50 percent of the workers have lost their jobs. Moreover, civil service employment, which accounts for 37.5 percent of all jobs for the workforce, has been reduced by 5 percent.

The constitution provides for the fundamental human rights, and the authorities enforce these provisions in practice, with some exceptions. Ethnic conflict in Guadalcanal in 1999 led to a state of emergency, several deaths, kidnappings, and 23,000 people leaving the area. The four-month-long state of emergency extended the powers of the police and limited the rights of free press and freedom of association. The police were given extensive arrest and search powers and were responsible for at least two extrajudicial killings.

There have been other reports of excessive use of force by the police. Prison conditions meet minimum international

standards. A new facility that was supposed to be available by 1997 remains unfinished due to lack of funds.

The government has granted first asylum to refugees from Papua New Guinea's Bougainville Island since the 1989 conflict began there. However, the majority of refugees returned home following the peace settlement of 1998.

The role of women in the Solomon Islands is still very limited because of a traditional male dominance. In 1997, only one of the fourteen women running for congress was elected. Spousal abuse is common, but charges are rarely filed. Women are usually illiterate and unaware of their rights. In addition, the high unemployment rate has prevented women from having a more active role in economic and political life. The National Council of Women and the government's Women Development Division are trying to improve women's status in the Solomon Islands.

Although the government is committed to children's welfare in education and health, a lack of funds has limited the implementation of this commitment in practice.

The constitution does not specifically address the rights of the disabled. They are usually left in the care of their families and to the initiative of a few private organizations. The Solomon Islands Red Cross is currently raising funds to build a center for children with disabilities.

In 1999, the government permitted prison visits from human rights monitors, such as Amnesty International.

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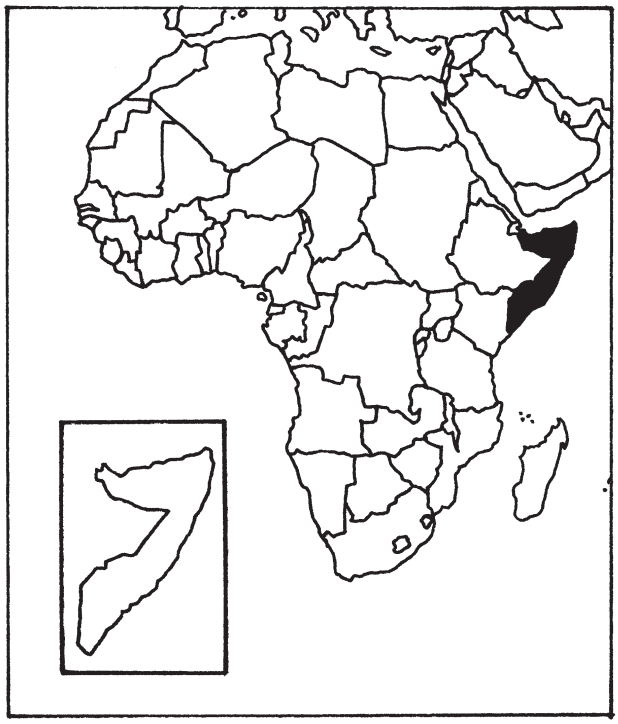
Somalia



Somalia is a country situated in eastern Africa, bordering the Gulf of Aden and the Indian Ocean, and situated to the east of Ethiopia. Mogadishu is the capital city. The country's population is estimated at 7 million. Major ethnic groups include Somali (85 percent) and Bantu and Arabs (15 percent). In addition, approximately 2,000 Italians and 1,000 Indians and Pakistanis reside in the country. About 99 percent of the population is Sunni Muslim. Somali is the official language, although Arabic, Italian, and English are widely spoken as well.

BACKGROUND

During the European conquests of Africa, Somalia was divided into two parts and ruled separately by the British and the Italians. Somalia achieved independence from the United Kingdom in June 1960 and from the Italian-administered United Nations (UN) trusteeship in July 1960. The two halves then merged, and the Republic of Somalia was formed and a constitution adopted in June 1961. However, during the post-independence period, clan loyalties and regional interests disrupted the process of creating a party-based constitutional democracy, which ended abruptly with a military coup led by Major General Muhammad Siad Barre in October 1969.

Siad Barre became the president of the Supreme Revolutionary Council, establishing a socialist dictatorship with close ideological and economic dependence on the Soviet Union. This cooperation lasted until the 1977 Ogaden War between Somali forces and Ethiopia, during which the Soviets switched their support to Ethiopia. Somalia was then forced to look to the West for military and economic aid.

Within Somalia, insurgencies hostile to Barre developed in the northeast and northwest regions. By 1990, the political and economic situation was so precarious that the government collapsed. Siad Barre and forces loyal to him fled the country. Subsequently, military leaders of the various organized factions took control of Somalia and started a series of small wars with one another. The resulting chaos and loss of life, with hundreds of thousands of Somali fleeing their homes, forced the international community to intervene. A massive famine was under way in Somalia, and without intervention many thousands of Somalis were likely to die. Consequently in

Italian United Nations troops on patrol, July 1993.

1992, the UN and other nations launched Operation Restore Hope, followed by the United Nations Operations in Somalia (UNOSOM). These operations eventually collapsed into failure as UN forces, even backed by troops from the United States, were unable to stop the endemic clan warfare. Foreign troops withdrew, leaving Somalia in chaos.

At present, Somalia has no central government or judicial system. The political situation continues to be characterized by anarchy and interclan fighting. Some form of orderly government has been established in the northwest regions, formerly British Somaliland, which claims independence and international recognition. In the south, however, as many as thirty factions vie for some degree of authority in the rest of the country. International efforts to forge a peace accord have not produced significant results.

Somalia remains one of the world's poorest and least-developed countries, with few natural resources and a small industrial sector. Moreover, the economy has been devastated by the civil war. Agriculture remains the most important sector, with livestock accounting for about 65 percent of export earnings. Most facilities have been shut down because of the civil strife, resulting in a lack of employment opportunities and increased poverty. The country relies heavily on foreign economic assistance from organizations such as the European Community and the World Bank.

HUMAN RIGHTS

The human rights record is extremely poor, and the essential problem remains the lack of political rights in the absence of a central government. Many civilians continue to be killed as a result of fighting among various clan factions. Arbitrary arrest, hostage taking, kidnapping, torture, and rape often result from the actions of clan militias. Many political prisoners have been killed. About 40 percent of the population has been displaced as a result of the civil war.

In the absence of constitutional or other legal protections, mostly Islamic or local traditional courts operate throughout the country, often denying citizens their basic rights. Many people have been summarily executed by these courts.

Prison conditions vary by region. However, according to international relief agencies, they remain life threatening in many locations.

Each regional faction controls the print media in its area. Freedom of the press is very limited. Journalists avoid criticizing clan leaders or their followers. Most citizens obtain news chiefly from the BBC.

Religious freedom is restricted and largely controlled by Islamic local administrations, which exercise social pressure to respect Islamic traditions. A few Christian international relief organizations operate without interference, although they are prohibited from proselytizing.

Women continue to face societal discrimination. In addition, violence against women is widespread. Women have no political power. Female genital mutilation is practiced almost everywhere in the country.

Children remain the chief victims of the civil strife and continuing violence. School attendance is minimal and the higher education system is not organized. The result is an estimated total illiteracy rate of more than 75 percent. Young boys are recruited by various militias and by marauding gangs.

Members of minority groups living in an area controlled by a different clan are generally subject to discrimination in employment and public services. They are occasionally harassed, intimidated, and forced to work for local gunmen.

Freedom of movement is restricted in most parts of the country by checkpoints controlled by militias loyal to one clan or faction. Most Somalis do not have official documents allowing them to travel abroad. Many people continue to flee, without official papers, to neighboring countries. However, in the past two years, security conditions have improved in some areas, allowing Somali refugees and displaced people to return to their homes. The United Nations High Commissioner for Refugees has been facilitating the repatriation process of thousands of Somali refugees who had fled to Ethiopia.

Several local human rights non-governmental organizations are active in the country, however with some limitations. Amnesty International has been permitted to visit some regions and conduct seminars on human rights. In 1998, the Red Cross had to evacuate its staff from Somalia following attacks and the kidnapping of ten of its workers.

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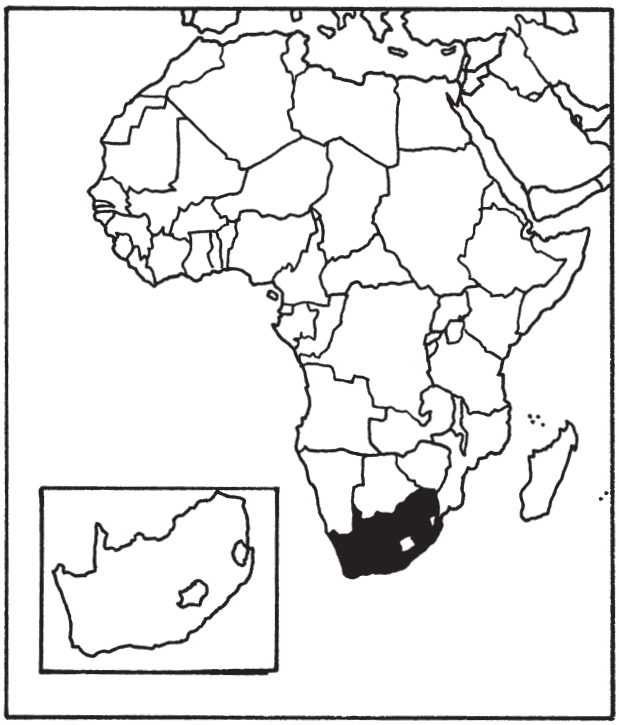
South Africa



The Republic of South Africa is situated in the southern tip of Africa, bounded on the north by Namibia, Botswana, and Zimbabwe, and on the northeast by Mozambique and Swaziland. Pretoria is the capital city. The country's population of approximately 42 million is ethnically diverse. It comprises Africans (about 75 percent), who are divided in a number of different ethnic subgroups; whites (about 14 percent), who are descendants of Dutch, French, English, and German settlers; coloreds (about 9 percent), who are mixed-race peoples, whose ancestors were the earliest settlers and indigenous people; and, finally, Asian Indians (about 2 percent), who are concentrated in the KwaZulu state and are descendents of Indian workers brought to South Africa in the mid-nineteenth century.

The eleven official languages are Afrikaans, English, Ndebele, Pedi, Sotho, Swazi, Tsonga, Tswana, Venda, Xhosa, and Zulu. Predominantly Christian, South Africans also follow traditional beliefs, Hinduism, Islam, and Judaism.

BACKGROUND

Since 1994, a new era has begun in the history of South Africa. The country's first non-racial elections, held on April 26–29, 1994, ended the system of white dominion and racial separation known as "apartheid." Nelson Mandela, leader of the African National Congress (ANC), was elected president. A new constitution came into effect on February 3, 1997.

Following the June 1999 national elections, Thabo Mbeki replaced Nelson Mandela as president.

The president is the chief of state and holds the executive power. The legislative power is shared by a bicameral Parliament, composed of the National Assembly (400 members) elected by a system of proportional representation, and the National Council of Provinces, consisting of delegates from nine provinces. In the 1999 elections, the ANC won the majority of seats in the National Assembly.

The constitution provides for the independence of the judiciary system.

South Africa has a productive and diversified economy based primarily on manufacturing, mining, and agriculture. However, its economy shares many characteristics of developing countries, including a division of labor between the formal

Black protestors arrested for the crime of demanding an end to white control of government, 1992.

and the informal sectors, and a starkly uneven distribution of wealth among the population. The latter is particularly evident in the income disparities between urban and rural citizens, and between whites and blacks. Nevertheless, in the past several years, the transition to increasingly democratic government policies has positively affected economic growth, including the creation of new jobs, better opportunities in education, the integration of business into the international system, and the acceleration of liberal trade facilitated by both domestic and foreign investment. The unemployment rate is officially estimated at approximately 30 percent, and most of the unemployed are black South Africans. However, the latter are increasingly gaining access to upper-level management positions, including those in the enterprise sector and the media.

After the April 1994 elections, the sanctions imposed by the international community during the apartheid era were lifted, and South Africa emerged from isolation. In June 1994, South Africa rejoined the Commonwealth and the United Nations. It also joined the Organization for African Unity.

HUMAN RIGHTS

The constitution guarantees all fundamental human rights to South African citizens, including equality before the law and prohibits discrimination. The government generally respects these provisions in practice. However, a few problems persist in some areas.

Members of the security forces continue to commit human rights abuses in the forms of excessive use of force during ar-

rest, torture, and mistreatment of detainees. There were numerous reports of deaths that were caused by police action or that occurred while prisoners were in police custody. In some cases, the government has investigated and punished the perpetrators of these abuses.

In some areas, especially the KwaZulu, political violence and tension remain high, resulting in hundreds of extrajudicial killings. In KwaZulu, the violence is primarily a result of friction between Zulu extremists and supporters of the ANC Party.

The murder of white farm families by black assailants is also a problem and has received considerable media attention. These murders are a result of the extreme income disparity between whites and blacks, as well as a legacy of the apartheid era when police spent more time enforcing racial discrimination than trying to prevent crimes. The high incidence of common crimes and organized criminal activity represents a grave public concern, often resulting in vigilante action and mob justice. The South African police have, however, made some small improvements in their ability to deal with their country's high crime rate.

The judiciary system is understaffed, underfunded, and overburdened. Consequently, in some cases, pretrial detention can extend for up to two years. Prisons are seriously overcrowded. Occasionally, juveniles awaiting trial are imprisoned with adult inmates.

The constitution provides for freedoms of speech and the press, and the government respects these freedoms in practice. However, several laws remain in effect that allow the government to force journalists to reveal their sources and to limit the publication of information regarding the security forces, prison conditions, and mental institutions.

The rights to peaceful assembly and association, including the right to form trade unions and to strike, are respected.

Although there are legal and constitutional protections against discrimination based on sex, women continue to be subject to customs and traditions that prevent them from fully enjoying their civil rights. In addition, violence against women is a serious problem and includes rape, battery, assault, and domestic violence. The unwillingness of police to enforce current legislation on marital rape often discourages women from pressing complaints of spousal abuse.

The government is committed to children's welfare, including education, health, and basic needs. However, the demand for such services far exceeds the resources available. Violence against children is widespread. Female genital mutilation is still practiced in some rural areas. Child prostitution has become increasingly common in urban areas.

Although the constitution prohibits discrimination on the basis of disability, the disabled continue to face discrimination in employment, both in the public and private sectors. In addition, constitutional provisions mandating accessibility to public buildings and transportation for persons with disabilities are rarely enforced.

South Africans have freedom of movement within the country and can freely travel abroad, as well as emigrate and repatriate. The government addresses refugee and asylum status issues in accordance with the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. It also cooperates with the United Nations High Commissioner for Refugees in assisting refugees and in providing first asylum. In recent years, the increased number of illegal immigrants

occasionally resulted in wrongful deportations of legal aliens.

There are several human rights groups conducting investigations and publishing their findings without any governmental restriction. The Human Rights Commission was created by the government to promote and enforce fundamental human rights throughout the country. It has the power to conduct investigations, issue subpoenas, and hear testimony under oath.

The Truth and Reconciliation Commission, formed in 1996 and chaired by 1984 Nobel Peace Prize winner Archbishop Desmond Tutu, is empowered to investigate human rights abuses that occurred during the apartheid era, and to grant amnesty for full disclosure of politically motivated crimes. It also attempts to gain compensation for victims of these abuses.

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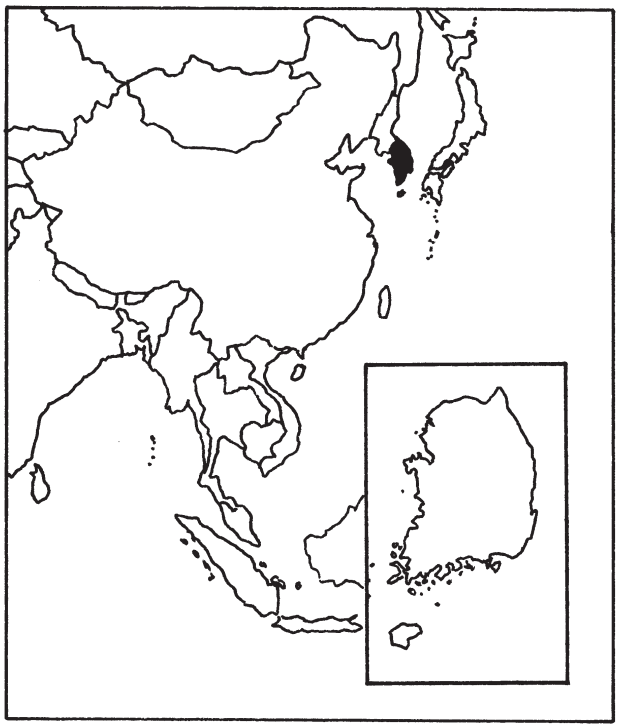
South Korea



South Korea is located on a peninsula in eastern Asia. The Korean Peninsula is home to two nations with different political and economic systems. The Republic of Korea is located on the south side of the peninsula and the Democratic People's Republic of Korea, on the north. The Koreans are one people who have shared long history and culture. South Korea has approximately 47 million people, almost all of whom are ethnically Korean. The gross national product per capita surpassed the $10,000 mark in 1996.

The 1948 Korean constitution declares that the national sovereignty lies with the people and guarantees basic human rights. According to the constitution, Korea values liberal democracy, the rule of law, a welfare state, and international peace and declares peaceful reunification to be its "historical mission." The president, elected directly by the people, is the head of the nation as well as of the executive branch. The National Assembly, which is the legislative branch, is composed of one house, made up of approximately 300 members directly elected by the people.

BACKGROUND

Imperial Japan conquered Korea in the early 1900s and controlled it until 1945, when Japan's defeat in World War II gave Korea its freedom. However, the Korean Peninsula was divided by the 38th parallel, the north of which was controlled by the Union of Soviet Socialist Republics (USSR, or the Soviet Union), and the south by the United States. This division led to the creation of two separate Koreas, one capitalist and semi-democratic, the other a communist dictatorship. The conflict between the two resulted in the bloody Korean War (1950–1953), which did nothing to unify Korea but left many hundreds of thousands dead.

In South Korea, the strongman Lee Seung Man's regime was replaced, after a coup, by one led by General Park Jung Hee in 1961. This military despotism lasted for thirty-two years. In the name of economic growth, the military regime limited people's human rights and freedoms with the help of the army and the secret police. The military regime came to an end in June 1987 with the rise of a nationwide democratic movement. After 1987, South Korea gradually became democratic.

Kim Dae Jung, an opposition leader who suffered from political oppression during the military rule, won the 1997 presidential elections. President Kim assumed the task of enhancing democracy and human rights. South Korea today is much more respectful of human rights than it was only a dozen years ago.

HUMAN RIGHTS

The South Korean constitution protects human rights and generally the government respects and abides by its provisions. There are, however, a number of problem areas.

Since the end of military rule, oppression of individual liberty has decreased. Although there is no sign that capital punishment is likely to be abolished, death sentences are decreasing in number. There are no reports of terror or kidnappings being committed by the secret police. It has been several years since a demonstrator was killed by the police.

South Korea has ratified the international Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 1995. Nevertheless, there are reports of police keeping criminal suspects awake for long periods of time, using physical or verbal abuse, and practicing intimidation. Students arrested during demonstrations and workers arrested during strikes are subject to harsh and insulting treatment by the police. From 1993 to 1998, there were 1,353 cases of citizens suing officials for violence, confinement, and torture. Public prosecutors chose to indict police officers in only a small percentage of these cases.

Prison conditions remain less than ideal. Prison rules concerning visits, exercise, and discipline are harsh.

Free speech and free assembly are allowed but restricted. Every demonstration requires permission from the police chief.

South Koreans have a right to privacy. Currently, it is only possible to tap phones with a warrant issued by a judge. Security agencies legally tap 6,000 to 7,000 phones a year, but some human rights groups are of the opinion that there are far more illegitimate tappings. Koreans are issued an identification card when they reach the age of seventeen. Along with personal information, citizens must file their fingerprints, which the police store in digital form.

The government supports rights for the disabled in theory, but in practice the disabled face discrimination and limitations on their ability to lead a decent life. Facilities specifically for the convenience and accessibility of the disabled are rare: only 37 percent of public buildings are equipped with such facilities.

The Korean constitution and labor laws protect workers' rights. South Korea became a member of International Labor Organization in 1991. There have been no reports of compulsory or child labor. A minimum wage system is in place, and the work week is limited to forty-four hours.

Female workers have to tolerate bad labor conditions and discrimination in the work place. Discrimination toward women in all areas of life is common. Because of traditions giving women second-class status, women have little chance of reaching the upper ranks in business or political life.

James R. Lewis

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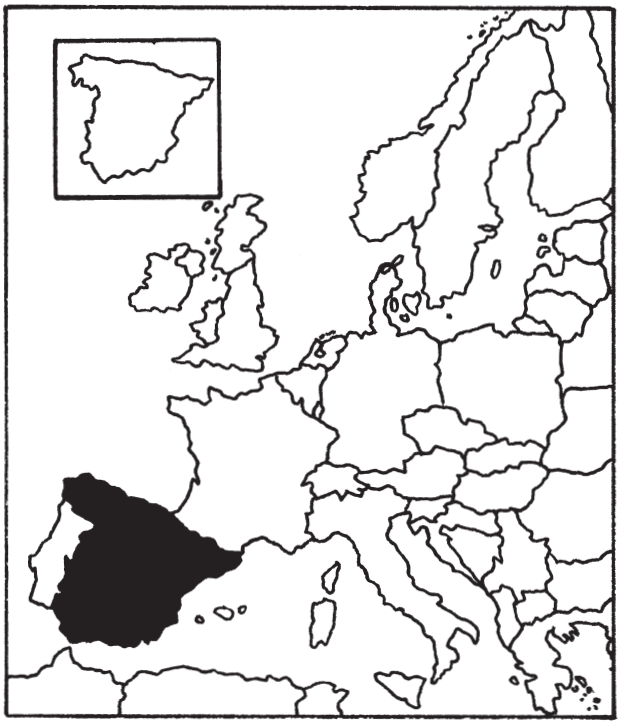
Spain



The Kingdom of Spain is situated on the Iberian Peninsula in southwestern Europe, between the Atlantic Ocean and the Mediterranean Sea. It is bounded on the north by France and on the west by Portugal. Madrid is the capital city. Spain has a population of approximately 40 million. Ethnic groups include Spanish, Basques, Catalans, and Gallegos. The official language is Spanish, although Catalan, Galician, and Basque are spoken as well. The vast majority of the population are members of the Roman Catholic Church.

BACKGROUND

From 1939 to 1975, Spain was ruled by the dictatorship of General Francisco Franco. During World War II, Spain remained neutral, although it had pro-Axis sympathies. In 1955, Spain became a member of the United Nations. Upon Franco's death in 1975, Prince Juan Carlos, who was designated Franco's heir, became king of Spain. In 1977, a constitutional monarchy was proclaimed, and liberal elections followed shortly afterward. The 1978 constitution issued by the newly elected Parliament is still in force.

The king is the head of state. The president, who is chief executive and head of government, and the cabinet (Council of Ministers) make up the executive branch. A bicameral Parliament represents the legislative power. The judiciary is independent. In practice, Spain has a healthy and functioning democratic system.

Spain has a market-based economy, which relies primarily on private enterprise. In 1998, Spain's economy grew at a rate of 3.9 percent. Unemployment remains high.

HUMAN RIGHTS

The constitution provides for all fundamental human rights, and the government respects these provisions in practice. However, violations have been reported in a few areas.

The authorities are still investigating allegations of the use of excessive force by the police that resulted in the death of twenty-seven civilians who were suspected of affiliation with the Basque Fatherland and Freedom (ETA) organization and its terrorist activities. The ETA is responsible for numerous human rights violations of its own, including the assassination of gov-

Fascist gather and salute in a commemoration paying tribute to the dictator Francisco Franco, November 20, 1992.

ernment officials and ETA opponents. The ETA's goal is to achieve independence for the Basque region of Spain.

The Spanish police are allegedly responsible for illegal detentions, torture, and mistreatment of detainees under custody. Amnesty International has also reported on abuses committed by police officers against North African immigrants.

Prison conditions meet minimum international standards. However, monitors of the European Committee for the Prevention of Torture reported severe overcrowding, abuse of inmates by prison guards, and inadequate food.

The constitution grants freedoms of speech and the press. For the most part the government supports these rights; however, in the past few years the authorities have ordered the closure of a few newspapers because they supported the cause of the Basque terrorists (ETA). In 1999, the courts permitted two of the newspapers to reopen.

Although the law prohibits discrimination based on gender, women continue to play a minor role in both government and society. Their representation in Parliament never exceeded 25 percent of the total seats available.

Women face discrimination in employment and salaries. They represent 43 percent of the total workforce, although their unemployment rate is more than double that of men. Violence against women is a problem. In 1998, more than 19,000 cases of abuse were reported to the police, but non-governmental organizations claim

every year that the number is much higher. However, the government has funded many programs, including legal and psychological counseling, medical assistance, public awareness campaign, and shelters for female victims of abuse. The trafficking of women from Latin America, Africa and Eastern Europe has become a serious problem.

The law protects children's rights, and the government is very committed to child welfare. Child abuse is severely punished by law, and the authorities have been willing to deal efficiently with the problem.

The constitution forbids discrimination based on ethnicity. However, the Roma, who make up possibly 2.5 percent of the Spanish population, continue to complain about discrimination in jobs, schools, and housing. In addition, immigrants from North Africa complain of discrimination and mistreatment by the authorities and employers.

The government cooperates with United Nations High Commissioner for Refugees (UNHCR) and the Spanish Committee for Assistance to Refugees. The UNHCR advises the Spanish authorities throughout the asylum process. Asylum seekers filing inside Spain usually wait two months before asylum is ruled upon, whereas those filing at the border can receive a decision in seventy-two hours.

Many local and international human rights organizations, including the Human Rights Association of Spain in Madrid and the Human Rights Institute of Cataluyna in Barcelona, operate without government restriction. Government officials are usually very responsive to allegations of human rights violations.

Barbara and Michela Zonta

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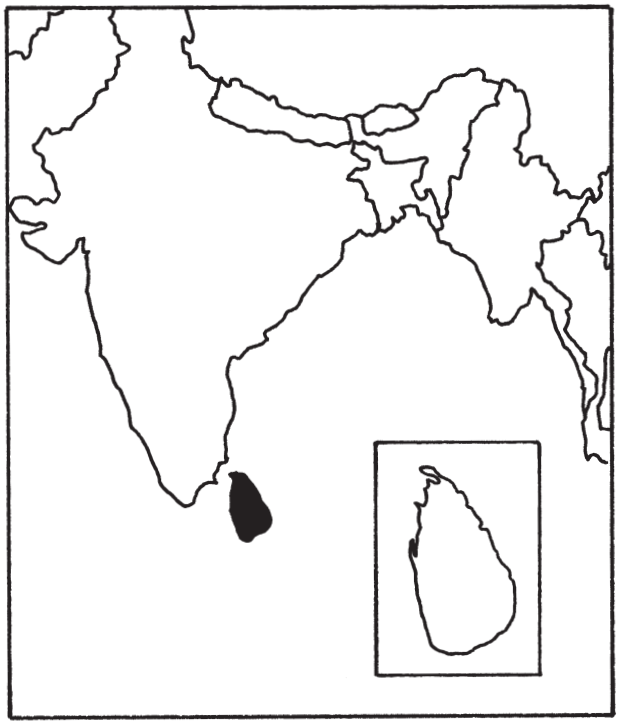
Sri Lanka



Sri Lanka, formerly known as Ceylon, is an island nation located off the southern tip of India. It has a land area of approximately 25,000 square miles and a population of about 19 million. The larger part of the island is covered with low hills and plains. There is also a range of mountains in the southern central region.

BACKGROUND

Like the South Asian mainland, Ceylon formerly was part of the British Empire. Ceylon became independent in 1948. It has been a constitutional democracy ever since. In 1972, the government changed the name of the country to Sri Lanka, the traditional name for the island.

The primary focus of concern for human rights observers has been abuses arising from the ongoing conflict between the dominant Sinhalese (about 75 percent of the population) and the minority Tamils (the island's largest minority group). The Sinhalese, who are predominately Buddhist, are descendents of Indo-Europeans who migrated into the Indian subcontinent thousands of years ago. The Tamils, who are mostly Hindus, are a Dravidian people who speak Tamil—a language unrelated to Sinhalese. Although Tamils have also lived on the island for thousands of years, the great majority of Sri Lankan Tamils are descendents of South Indians brought by the British to work on tea plantations. There are also a number of smaller minority groups, including a Muslim community descended from traders who settled on the island.

Under the United National Party (UNP), a group led by Westernized Sinhalese who advocated, among other policies, ethnic inclusiveness, the country was initially prosperous in the years immediately following independence. However, the economy took a downward turn around the same time that the Sri Lanka Freedom Party (SLFP), led by ethnically oriented Sinhalese politicians, rose to power in the mid-1950s. The new government actively promoted Buddhism and traditional Sinhalese culture—a move that antagonized the island's ethnic and religious minorities. Among other measures, Sinhalese was declared the nation's only official language.

Although political power swung back and forth between the inclusivist UNP and the

ethnically oriented SLFP, the net effect of the ongoing political process over the next several decades was polarization between the Sinhalese and Sri Lanka's other ethnic groups, particularly the Tamils. This ethnic tension was exacerbated by the nation's economic woes. In response to the SLFP government's discriminatory policies, Tamils staged protests, and, in time, rioted. The Sinhalese majority countered with violence of its own. These early tensions set the stage for an ethnic conflict that would eventually produce human rights atrocities of the worst kind.

By the late 1970s, the growing resentment among the Tamils had led to a separatist movement in the Tamil provinces in northern and eastern Sri Lanka. Guerrilla bases were established in these areas as well as in southeast India, where the rebels were supported by their ethnic kin. The insurgents engaged in typical guerrilla activities, such as ambushes of government troops. The Liberation Tigers of Tamil Eelam (LTTE), better known as the Tamil Tigers, became the dominant rebel group.

While neither side in the conflict had ever been particularly careful about respecting the human rights of members of the other community, the situation degenerated after 1983. LTTE bombed civilian targets and murdered non-Tamils, including Muslims and other non-Sinhalese. The guerrillas also ruthlessly attacked Sinhalese villages located near the borders of the Tamil provinces. The government responded with reprisal raids, using military tactics that resulted in the deaths of innumerable civilians. Despite many setbacks, by 1987 the Sri Lankan military finally began to gain the upper hand against organized resistance. At that point, however, India intervened.

Caving in to the wishes of its stronger neighbor, the Sri Lankan government agreed to allow Indian troops to occupy its Tamil provinces. The ostensible purpose of the intervention was to protect Tamils from the Sinhalese majority, although some observers felt India was more concerned about losing face if the rebels it had supported were defeated by Sri Lanka. In exchange for permitting its military to take control of the situation, India promised, among other things, to disarm the rebels. At first, all seemed to go well. But after three months of an uneasy truce, LTTE declared war on the Indian peace-keeping force. The renewed fighting continued for several years. By the time India pulled out in 1989, nothing had been resolved. Then, in 1990, LTTE began a new offensive against the Sri Lankan government.

The Sri Lankan military was able to conquer the former LTTE strongholds in the north by the middle to late 1990s, but the Tigers continued to conduct effective operations against Sri Lankan forces in other parts of the country. In an incident that was widely reported around the world, a Tiger suicide bomber drove a truck filled with explosives into the Central Bank in the capital city of Colombo, killing more than 90 people and injuring over 1,600. This attack, more than any other single incident, has caused LTTE to be regarded as a terrorist organization by outside observers.

HUMAN RIGHTS

Aside from the human rights violations arising directly from this conflict, Sri Lanka is generally regarded as having a moderate to good human rights record. Freedom of movement within Sri Lanka has suffered because of the insurgency. The government has also violated privacy rights and restricted freedom of the press, particularly in connection with coverage of military oper-

ations. One sore point for journalists and others is that the government made it illegal to advocate an independent Tamil nation, even by peaceable means. Domestic newspapers and foreign television broadcasts have been censored when it was judged expedient to do, and security forces have been guilty of harassing journalists.

Conditions in Sri Lankan prisons are below minimum international standards, primarily because of overcrowding and the lack of sanitary facilities. The large number of detentions arising from conflict with the Tamil Tigers has had a significant impact on the already substandard conditions in centers of short-term detention. The government has allowed the International Red Cross to visit hundreds of detention centers. This openness to international scrutiny did not, however, extend to the secret detention centers discovered in recent years.

Unrelated to the conflict with Tamil insurgents, Sri Lanka has had ongoing problems in the areas of discrimination and violence against women, child prostitution, and child labor. Sexual assault, spousal abuse, and prostitution are widespread social problems. While amendments to the Penal Code and new laws introduced in recent years seek to address this problem, many women's organizations have expressed the opinion that greater sensitization of police and judicial officials is required before such changes will have a significant impact on women's lives.

About half of the workforce is female. Although the Sri Lankan constitution provides for equal opportunities in government employment, women have no legal guarantees in the private sector, where they often face discrimination and sexual harassment. While women have equal rights in civil and criminal law, issues related to family law are handled by the customs of each ethnic or religious group. For example, the minimum age for marriage for women was raised from twelve to eighteen years in 1995, except in the case of Muslims, who were allowed to continue to follow their custom of allowing very young women to marry.

Government officials seem to be genuinely concerned about the welfare and rights of children but are limited by a lack of resources. Areas where the government has demonstrated its strongest commitment to children are in its extensive public education and medical care systems. Education is mandatory up to the age of twelve and university education is free. Health care is also free.

Estimates of the number of child prostitutes vary widely, from 2,000 to 30,000. Some of these child prostitutes cater to tourists, and the Sri Lankan government has pushed for greater international cooperation in bringing to justice visitors who are guilty of pedophilia. Labor force surveys have found that at least 20,000 children are engaged in full-time employment. Thousands of others work as domestic servants. Asserting that the bulk of its enforcement resources are tied up with battling LTTE, the government has not aggressively attacked abuses in this area. The government has, however, supported a high-profile UNICEF advertising campaign against child labor.

Civilian human rights abuses pale when compared with the atrocities arising from the LTTE insurgency. The conflict has claimed over 50,000 lives, with some estimates ranging much higher.

Many of the human rights abuses on the government side of the conflict were committed by irregular security forces. In addition to regular security forces, made up of the police and the military, there exist more than 15,000 members of the Home Guards,

an armed force drawn from local communities and responsible to the police, who provide security for Muslim and Sinhalese communities in or near the war zone. The government has also armed Tamil militias opposed to the LTTE, and these groups tend to act independently of the government.

Government forces frequently detain hundreds of individuals. In some cases, Tamils have been detained without charge for up to four years. During the 1997 military campaign, security forces committed at least thirty-three extrajudicial killings and killed LTTE prisoners captured on the battlefield. In addition, a dozen or more individuals disappeared from security force custody. Torture at the hands of security forces remains a serious problem.

One of the more significant atrocities to attract international attention in recent years—a mass murder of 400 Tamils—was committed by regular army troops.

Despite legal prohibitions, security forces continue to detain, torture, and otherwise mistreat persons. While security force personnel have been fined under civil law, they have not been prosecuted as criminals. Particularly during interrogations, detainees, both male and female, have been mistreated and tortured. The great bulk of torture victims are Tamils suspected of being LTTE insurgents or of having LTTE connections.

Methods of torture include beatings (particularly on the bottoms of the feet), suspension by the wrists or the feet, electric shock, burnings, and near drownings. Victims have also been compelled to assume contorted positions for extended periods of time or to have bags containing insecticide, chili powder, or gasoline placed over their heads. Detainees have reported broken bones and other serious injuries resulting from their detention.

The LTTE also has attacked civilians and committed extrajudicial killings, including killing prisoners captured on the battlefield. Despite government inroads in the Tamil provinces, the LTTE remains in control of large sections of these areas. The LTTE continues to be responsible for disappearances, torture, arbitrary arrests, detentions, extortion, and other human rights violations.

It is difficult to feel optimistic about the future of human rights in Sri Lanka. Even if hostilities between the government and LTTE were to cease, tensions created by decades of ethnic strife would prevent the nation from returning to the peaceful multicultural society it briefly became in the early years following independence.

The Sri Lankan government also appears ambivalent about human rights. While it has been open to allowing international observers into the country, the national government seems unable to compel its security forces to adhere to human rights standards. Another negative indicator is that several human rights groups have left Sri Lanka in recent years, citing unacceptable restrictions by the Sri Lankan government.

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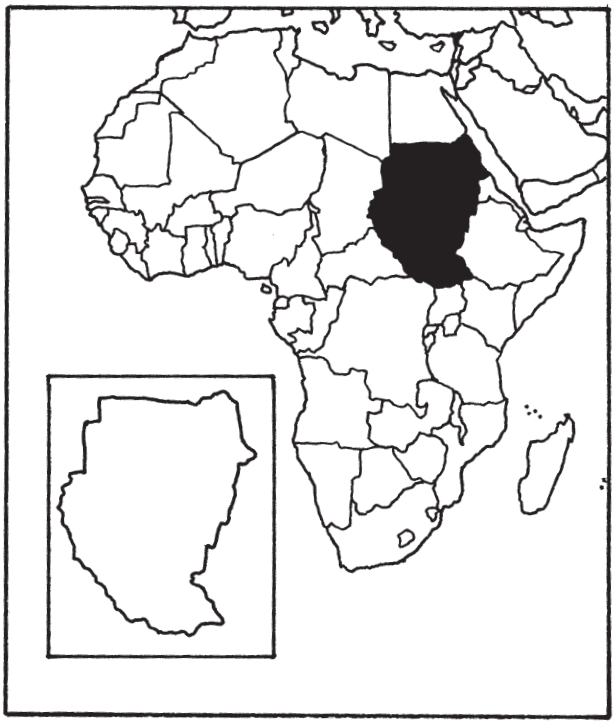
Sudan



Sudan is located in northern Africa, bordered by Egypt, Chad, Libya, Central African Republic, Democratic Republic of the Congo, Uganda, Kenya, Ethiopia, and Eritrea. It is the country with the greatest land mass in Africa. It has a population of approximately 34 million. More than half the population are black Africans, and ethnic Arabs make up about 40 percent. The capital is Khartoum. The government is an Islamic republic headed by a president.

BACKGROUND

Sudan is a meeting ground of two cultures and traditions. In the south, African influences and ethnic groups have dominated; in the north, Arab and Arabized Africans have been most prominent. Politically, the Arabs have tended to dominate most of Sudan's history, even though black Africans make up the majority of the population.

For most of the nineteenth century, Sudan was controlled by Egypt. During the period when Britain controlled Egpytian policy, Sudan was also a British client state. After Egypt broke away from Britain's control, Sudan also asserted its independence. Sudan declared its complete independence in 1956.

During the 1980s and 1990s, the government was dominated by the military. In 1989, a military coup brought to power the National Salvation Revolution Command Council (RCC), which suspended democracy and turned Sudan into a military Islamist state.

In the 1990s, the government moved to align itself with the more extremist Islamic states. During the Persian Gulf War, Sudan, unlike most of the Arab world, was sympathetic to Iraq. Egypt blamed Sudan for being behind an assassination attempt against its president, Hosni Mubarak. Sudan was also suspected of working with Islamic terrorists who attacked U.S. embassies in Tanzania and Kenya. (Because of these suspicions, the United States launched a missile strike against a factory in Khartoum that was believed to be a location where chemical weapons were being manufactured.)

Most of Sudan's problems can be traced to the ongoing civil war between the Arab-dominated government, which controls the north and center of the country, and the black African rebels of the south. The

rebels are organized into the Sudan People's Liberation Army (SPLA). The war has led to the deaths of at least 2 million people and has resulted in widespread famine and disease.

HUMAN RIGHTS

Sudan does not protect the human rights of its people. First, the Sudanese people do not have the right to choose their own government. Democracy does not function in Sudan, and it is clear that the Arab-controlled government does not represent the country's black majority. Second, the government uses security forces and repressive laws to maintain a tight hold on the population and to prevent any political change.

The army, police, and security forces all commit human rights abuses. Although forbidden by the Sudanese constitution, torture is widespread. Prisoners die each year as a result of police torture. The army is responsible for a number of extrajudicial killings every year. Anti-government rebels are also responsible for extrajudicial killings. Both sides use land mines indiscriminately, causing large numbers of civilian and military deaths. Many human rights advocates believe that using land mines in any capacity is a human rights violation.

The Sudanese government's prosecution of the war against southern rebels has been responsible for numerous human rights violations. Government troops have destroyed villages, murdered village leaders, and created millions of refugees. Troops have committed mass rapes and have been responsible for numerous kidnappings. Pro-government militias, which are active in war-torn areas of Sudan, are also responsible for numerous human rights abuses.

Christian resident shows evidence of torture inflicted by Muslim government officials.

Militias often have been accused of killing innocent civilians.

Sudan's legal system violates international human rights standards. Convicted criminals can be flogged, have a limb amputated, or be executed by hanging. As a result of the Sudanese government's attempts to enforce Islamic standards and dress codes, female students have been flogged for committing the "obscene act" of wearing pants.

Sudan's courts are not independent. Judges bow to government pressures and will almost always convict those accused of anti-government activities. In the war zones of the south, even the weak protections provided by Sudan's judicial system do not

exist. There, those accused of crimes are often summarily executed by army officers without any criminal trial.

Sudan's prisons do not meet international standards. They are overcrowded, unsanitary, and mix minors with adults. The government does not permit visits by human rights monitors. Many prisoners, especially those held for political crimes, are held for months without being brought to trial or having access to family or lawyers.

Sudan does not protect its citizens' right to privacy. Warantless searches are common. Police break into homes looking for anti-government dissidents. Government officials open private mail and tap private phone lines.

Sudan does not protect free speech. Sudanese newspapers are closely watched by government censors. Journalists are arrested for publishing articles displeasing to the government. Radio and television stations are controlled by the government. There is no academic freedom in Sudan.

Sudan does not provide its citizens with freedom of religion. The Sudanese constitution declares that Islam is the basis of law in the country, and hence, other faiths are persecuted. Other religious faiths are allowed to function, but they are subject to regulation, surveillance, and intermittent harassment. The government has restricted the building of Catholic churches. Christians are especially targeted in Sudan because many of the southern rebels are Christians. Christians are sometimes beaten, arrested, and occasionally murdered for their faith. Conversion from Islam to another religion is puinishable by death.

Violence and discrimination against women are common. The police generally ignore domestic disputes, and spousal abuse usually goes unpunished. The government's interpretation of Islamic law gives women second-class status in Sudan. Women are usually subjugated to their male relatives' wishes in matters of property rights, marriage, and divorce. Women are allowed to work in some professions, but they are limited to low-level positions. Women are supposed to wear modest clothing that covers much of their bodies. Female genital mutilation is common, especially in the north.

Children's rights are not well protected in Sudan. Schools are underfunded and many children do not receive a good education. The government practices forced conscription into the army of young men and boys. Child abuse and neglect are common, particularly in the wartorn south. Girls as young as four are subject to genital mutilation.

Discrimination is a problem in Sudan. The Sudanese government discriminates against black Africans in the south. In addition, citizens who do not speak Arabic are discriminated against in the work place and in schools. In universities, all subjects are taught in Arabic, making a college education difficult to obtain for non-Arabic-speaking southerners.

The government does not discriminate against people with disabilities, but also makes no special effort to provide facilities for them.

Sudan is one of the few countries in the world where slavery still survives. As a side effect of Sudan's civil war, black Africans from southern Sudan, including children, are kidnapped and forced to work for northern Arabs as agricultural laborers or household servants. Government troops are often accused of capturing and selling slaves. There has been much international condemnation of Sudanese slavery, but no effective action has been taken to end it.

The government allows limited visits by international human rights monitors. However, the government does not allow local human rights groups to be organized. In addition, the government also interferes with international relief efforts in southern Sudan.

Carl Skutsch

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Suriname

The Republic of Suriname is in northern South America, bordering the North Atlantic Ocean between French Guiana and Guyana. Paramaribo is the capital city. Suriname has a population of approximately 450,000, and it is one of the most ethnically varied countries in the world. Ethnic groups include South Asians (37 percent), Creoles (31 percent), Javanese (15.3 percent), Maroons (10.3 percent), and indigenous Amerindians (2.6 percent). Dutch is the official language, although English and other languages are widely spoken as well. Major religious denominations include Hinduism (27.4 percent), Islam (19.6 percent), Roman Catholicism (22.8 percent), Protestantism (25.2 percent), and indigenous beliefs (5 percent).

BACKGROUND

Suriname achieved independence from Netherlands in 1975 and became a parliamentary democracy. In 1980, the government was overthrown by a military coup that suspended the constitution, dissolved the legislature, and formed a new regime ruling by decree. In 1982, the United States and the Netherlands suspended economic and military cooperation in response to increasing human rights violations and the leftist orientation of the regime. In 1987, the regime agreed to hold free elections and return the country to a civilian government. Free and fair elections were held in 1991 and in 1996.

Suriname is a constitutional democracy. The executive branch is headed by the president. The president is elected by a two-thirds majority of the unicameral National Assembly, a body vested with legislative power and selected by popular vote.

The president appoints a sixteen-minister cabinet, and he is advised by a State Advisory Council, whose members are representatives of all political parties and of workers' and employers' organizations. The vice president is the chair of the council. The country is divided into ten administrative districts, each headed by a district commissioner appointed by the president. The constitution provides for the independence of the judiciary.

Suriname is a member of the United Nations and of the Non-aligned Movement. It is also a member of the Caribbean Community, the Economic Commission for Latin America, the World Bank, and In-

ternational Monetary Fund, among others. The government has shown a strong commitment to strengthening regional ties, especially in resolving long-standing border disputes with Guyana and French Guiana.

Narcotic trafficking is a serious problem; Suriname appears to be a transit location for quantities of cocaine transported to Europe and the United States. In order to fight this problem, the United States has been helping to train anti-drug personnel in Suriname.

The country's economy is dominated by the bauxite industry, which accounts for about 70 percent of export earnings. Gold mining is increasingly important to the economy. However, unregulated activity has created serious consequences for the environment. The estimated annual per capita income is about $1,372. There is no minimum wage legislation, and the average salary does not provide a decent living for most families.

Barge bringing supplies to a logging company. In some areas of Suriname, rivers provide the major means of transport, September 1997.

HUMAN RIGHTS

Suriname's human rights record continues to be poor in several areas. The government has taken no significatant actions to investigate human rights abuses that occurred under previous regimes.

The security forces and the police routinely mistreat detainees during arrests and interrogation. Prison conditions are harsh and unsanitary, with overcrowding, inadequate nutrition, and medical care being the major issues of concern for human rights activists. In addition, prison guards systematically abuse prisoners. Pretrial detentions are lengthy. The judiciary system is understaffed and under dispute and suffers from a huge backlog of cases.

The government generally respects freedoms of speech and the press. However, there have been reports of journalists being intimidated and harassed by former members of the military regime.

Several social groups continue to face various forms of discrimination, despite constitutional provisions prohibiting such practices. Ethnic minorities, including Maroons and Amerindians, have limited access to the political process.

In addition, women remain underrepresented in government and political parties and do not have equal access to education, employment, and property. Furthermore, violence against women, including domestic violence, is a serious problem, and it is not sufficiently addressed by the authorities. Trafficking in women and girls for prostitution is on the rise.

The government is not fully committed to children's welfare. Although compulsory until twelve years of age, in practice education is unavailable to some school-age children because of the lack of transportation, facilities, and teachers. There are reports of widespread malnutrition among poor children. The authorities rarely enforce constitutional provisions prohibiting child labor and prostitution; consequently, in urban areas many children are found working as street vendors or are exploited for prostitution.

The law does not address the rights of the disabled.

Citizens enjoy freedom of movement within the country and may travel abroad. The government cooperates with the United Nations High Commissioner for Refugees in assisting refugees and asylum seekers.

There are several local human rights groups operating without restriction in the country. However, the authorities are often not cooperative or responsive to their views.

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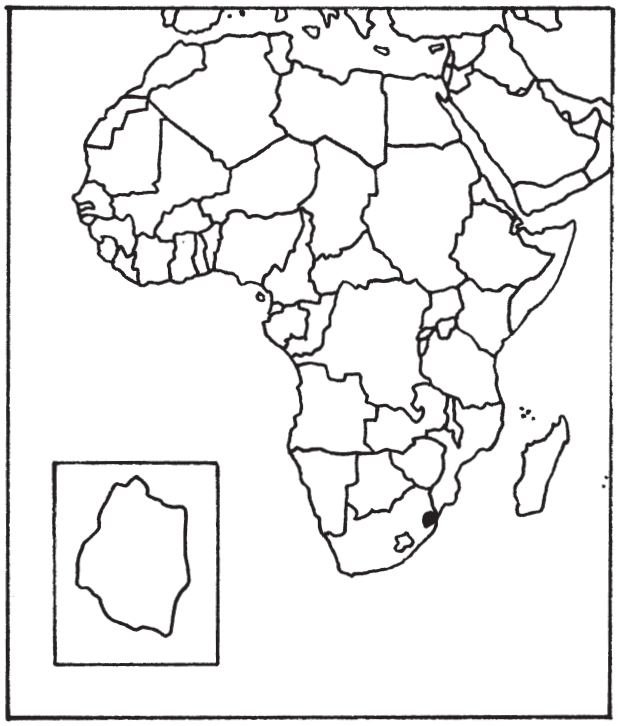
Swaziland



The Kingdom of Swaziland is situated in southern Africa, between Mozambique and South Africa. Mbabane is the capital city. The country's population is about 1 million: African, 97 percent, and European, 3 percent. Most of the population is Christian, although a significant proportion (about 40 percent) profess traditional beliefs.

BACKGROUND

A British colony, Swaziland achieved independence in 1968. Swaziland is a monarchy and an independent member of the Commonwealth. According to Swazi law and custom, supreme executive, legislative, and judicial authority is vested in the king (Mswati III). However, in practice the king governs in conjunction with a partially elected Parliament and an independent judiciary, although legislation and political policies must be approved by the king. In 1973, the constitution was suspended and the king has ruled by decree ever since. All political parties are prohibited.

The country's free-market economy is largely based on subsistence agriculture, which employs about 60 percent of the population. However, a diversified industrial sector has started to grow. Swaziland's main source of hard-currency earnings comes from exports of soft drink concentrate, sugar, and wood pulp, which are produced by large firms owned mostly by foreigners. Because of its location, Swaziland is heavily dependent on South Africa, from which it receives almost all of its imports and to which it sends more than half of its exports.

Swaziland is a member of the United Nations and of the Organization of African Unity, and it maintains diplomatic missions in several countries.

HUMAN RIGHTS

Swaziland's human rights record is poor in several areas. Citizens do not have the right to change their government. In 1996, the king appointed a Constitutional Review Commission with the purpose of examining the suspended constitution, promoting civic education, and determining the citizens' wishes for the future of the government. However, little progress has been made toward accomplishing those projects.

The police use torture and other degrading treatment during interrogation of sus-

pects, and the government takes little or no action to investigate these abuses. Occasionally, the authorities also infringe on citizens' right to privacy by conducting searches without warrants.

Prison conditions are generally poor, with overcrowding a major problem, further aggravated by the judiciary's policy of not allowing bail for certain criminal offenses.

The government restricts freedoms of assembly and association. A 1973 decree bans political parties and prohibits meetings, demonstrations, or processions of a political nature in public places without the consent of the authorities. In addition, trade union organizations cannot participate in the social and political affairs of the country, resulting in a serious limitation of workers' rights. However, the government has recently shown some commitment to bringing labor laws into conformity with international standards.

Freedom of speech and freedom of the the press, as well as academic freedom, are also subject to restriction. The prohibition of political gatherings has created an atmosphere of general self-censorship. Journalists are discouraged from reporting opinions critical of the royal family and national security policies. Occasionally, they are victims of harassment. The state-owned media are the most successful at reaching the public, and they usually avoid covering sensitive issues.

Women continue to face legal as well as societal discrimination in education, employment, property, and family issues. Customs and laws treat women as totally

A child working on a sugar cane plantation. Child labor is common in Swaziland.

subordinate to men. In addition, violence against women, including spousal abuse, is widespread, and rural women have little recourse against it. However, the government recently has shown some commitment to addressing women's rights by establishing a task force to solve domestic gender issues and organizing workshops to sensitize the general population on women's issues.

The government has also shown limited concern about the issue of improving children's rights and welfare. The law does not provide free compulsory education. However, the government partially finances the education system. Child abuse and the growing number of street children in urban areas are serious problems. In addition, young children are frequently made to work as laborers in rural settings.

Citizens are generally free to travel within the country and abroad. Some limitations apply to women, who require a male relative's or their husband's permission both to apply for passport and to leave the country. In addition, some members of ethnically mixed groups and political dissenters frequently experience lengthy processing delays in obtaining passports or citizenship documents.

The government cooperates with the United Nations High Commissioner for Refugees in assisting refugees and asylum seekers. It also permits domestic human rights groups to operate.

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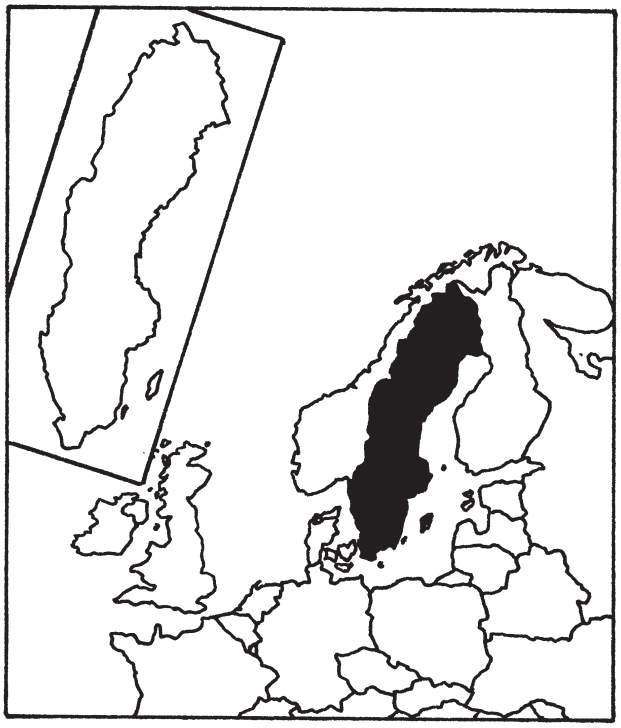
Sweden



The Kingdom of Sweden is situated in northern Europe, bounded on the west by Norway, on the northeast by Finland and the Gulf of Bothnia, on the southeast by the Baltic Sea, and on the southwest by the Kattegat, the channel that runs between Sweden and Denmark. Stockholm is the capital city. Sweden has a population of approximately 8.8 million. Ethnic groups include Swedes, Finns, and Lapps. In addition, there are approximately 960,000 immigrants from Asia, Africa, South America, and the rest of Europe. Swedish is the official language, although minorities speak Finnish and, Lapp, or Saami. Most Swedes (87 percent) belong to the Lutheran Church; the remainder are Catholics, Eastern Orthodox, Baptists, Muslims, Jews, and Buddhists.

In 1815, following the Congress of Vienna, Sweden became part of a dual monarchy with Norway. In 1905, however, the countries separated peacefully. During World War I and World War II, Sweden remained neutral. It was one of the founding members of the United Nations and has maintained a non-aligned position during the twentieth century.

The Kingdom of Sweden is a constitutional monarchy. The king is the head of state. The prime minister, who is chief executive and head of the government, and the cabinet make up the executive branch. The unicameral Parliament (Riksag) of 349 members is responsible for electing the prime minister and has legislative authority. The judiciary is independent.

The country has a well-developed industrial economy in which more than 90 percent of the companies are privately owned. Furthermore, Swedes enjoy a high standard of living and extensive social welfare services.

The government generally respects all fundamental human rights and freedoms of its citizens. However, problems persist in a few areas.

The authorities cooperate with the United Nations High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers. The government provides first asylum and usually grants the right to residence for those who file a request. Nevertheless, there have been complaints of a lack of legal counseling and the expulsion of some asylum seekers within seventy-two hours of their arrival.

Violence against women still exists, and thousands of assault cases are reported each year, occuring disproportionately in immigrant communities. The authorities provide extensive support and protection for women at high risk of abuse. In addition, the government funds many voluntary organizations that offer shelter and counseling for women in distress. Although the authorities usually investigate and prosecute the perpetrators, women continue to complain that the sentences for spousal abuse are too lenient.

Trafficking in women for prostitition has been a growing problem. In 1999, Sweden made prostitution illegal.

Although the United Nations Development Program has recognized Sweden as one of the nations with the highest ranking on gender equality—a high percentage of women serve in business and politics—both men and women continue to allege discrimination in some areas.

As far as children's welfare is concerned, the government has created many educational and health programs designed to benefit and protect children. The government provides compulsory free primary education and free medical and dental care for children up to age sixteen. Moreover, parents receive an allowance worth about $1,000 a year for each child under sixteen. However, although child abuse is not common in Sweden, recent data have shown that this phenomenon is on the rise.

The government is also very committed to assisting and accommodating the disabled. They receive many social services, including free home health care.

Several local and international human rights organizations operate in the country, and the authorities are fully responsive and cooperative with their activities.

Barbara and Michela Zonta

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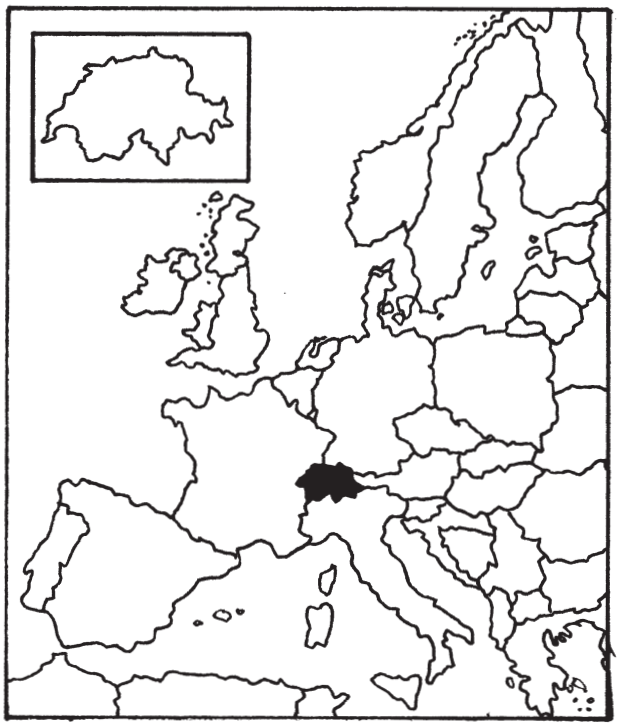
Switzerland



The Confederation of Switzerland (also called the Swiss Confederation) is in western Europe, bounded on the north by Germany, on the east by Austria and Liechtenstein, on the south by Italy, and on the west by France. Bern is the capital city. The population of Switzerland is estimated to be 7 million. The Swiss speak a variety of languages, including German (64 percent), French (19 percent), Italian (8 percent), Romansch (1 percent), and other languages (8 percent). Roman Catholicism (46 percent) and Protestantism (40 percent) are the two major religions.

The Swiss Confederation has been internationally recognized as an independent and neutral country since 1815 (Treaty of Vienna). In 1848, the Swiss Confederation promulgated its constitution, which was modeled after the U.S. Constitution, and it was amended in 1874. Switzerland remained neutral in both world wars.

The Swiss Confederation is a constitutional democracy, divided into twenty-six cantons, or administrative districts. The president holds the executive power and is elected by the bicameral Parliament. Because of the multicultural and multilinguistic diversity of the confederation, much administrative autonomy is given to the individual cantons.

The country's economy is largely based on machinery, banking, pharmaceuticals, watches, and textiles. Citizens of the Swiss Confederation enjoy one of the highest standards of living in Europe.

The government generally respects the human rights of its citizens. However, some problems persist in a few areas.

The security forces occasionally commit human rights abuses in the form of harassment and excessive use of force against immigrants. Prisons are overcrowded, and human rights groups have asked the government to take additional measures to solve this problem.

Freedom of religion is not restricted.

Women actively participate in political life and generally are not subjected to discrimination in employment, salary, and career opportunities. They participate in political life as well and hold 51 of the 246 seats available in Parliament. Nevertheless, violence against

Demonstration against racism in Zurich, November 1991.

women remains a serious problem. Recent statistics show that one in every five women living in Switzerland has experienced physical or sexual abuse at least once in her life, with approximately 40 percent being psychologically or verbally abused. The law is very severe in cases of spousal abuse. Women in distress receive private or governmental counseling by many available agencies. However, the number of shelters is not sufficient to host all the women and children who are victims of abuse.

The government has demonstrated a strong commitment to children's welfare. The federal as well as the cantonal governments provide children with free medical care and education. Long sentences are given to child abusers.

Several laws protect the rights of the disabled against any form of discrimination. However, the government does not explicitly mandate accessibility to buildings and transportation for the disabled.

The Swiss Confederation has generally welcomed most refugees and cooperates with the United Nations High Commissioner for Refugees. However, in recent years, due to a high number of asylum-seekers from the Balkan War, the government has tightened its liberal policies regarding first asylum and asylum status. In July 1999, the government implemented an emergency

measure to control what it considered abuse of asylum procedures. These new policies refuse asylum to asylum seekers who cannot prove their identity and that they would be persecuted if they returned to their home country. Some human rights advocates believe that this policy change has led to people being wrongly expelled from Switzerland and also that this has created a situation where police are using the law to detain and harass those seeking asylum.

Local and international human rights groups operate freely in the country. The International Committee of the Red Cross has its headquarters in Geneva, Switzerland.

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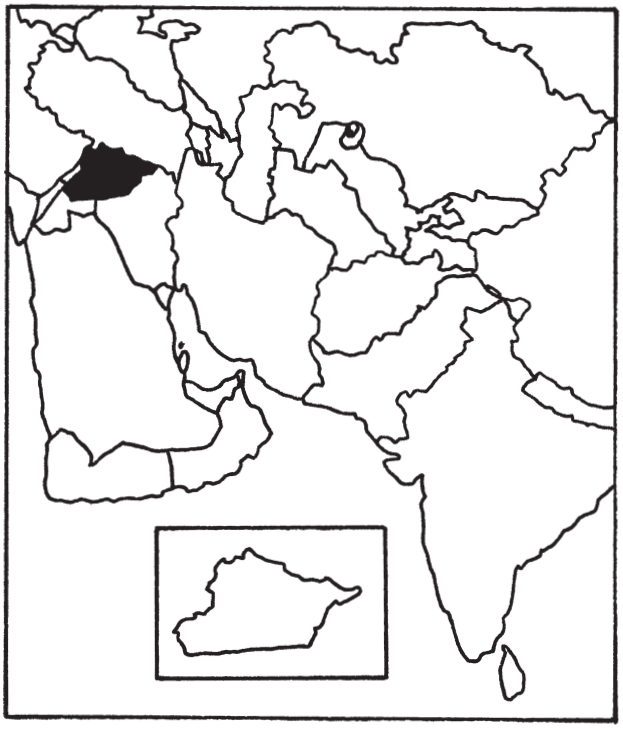
Syria



The Syrian Arab Republic is in the Middle East. It is located between Lebanon and Turkey, bordering the Mediterranean Sea. Damascus is the capital city. Syria's population is estimated at 17.2 million. In addition, there are about 38,200 people living in the Israeli-occupied Golan Heights. The population is mostly of Arab descent (90.3 percent) but includes Kurds, Armenians, and other ethnic groups (9.7 percent). Sunni Islam represents the majority religion (74 percent). Other people belong to Alawite, Druze, and other Muslim sects (16 percent) or to various Christian sects (10 percent). Small Jewish communities can be found in Damascus, Al Qamishli, and Aleppo. Arabic is the official language, although Kurdish, Armenian, Aramaic, and Circassian are widely understood.

Syria is the site of many ancient civilizations, with a history stretching back to the beginnings of history. For most of the last few hundred years it was controlled by the Ottoman Empire. In 1920, an Arab kingdom was established. In 1963, a group of Syrian army officers took over the government in the name of the Arab Socialist Resurrection Party (Ba'th Party). Syria has been ruled by the Ba'th Party ever since, dominated by the dictator Hafez al-Assad. His death in June 2000 led to the accession of his son, Bashir al-Assad. It remains unclear whether the son will wield the same power that the father did.

Syria has been heavily involved in the political and military conflicts in the Middle East. Wars with Israel have lost Syria the area known as the Golan Heights. However, Israel's invasion of Lebanon in 1982 gave Assad both the excuse and the opportunity to expand his influence in Lebanon. Even though Lebanon is an independent country, Syria continues to have great influence in its government.

HUMAN RIGHTS

The human rights situation in Syria is poor. The people do not have the right to peacefully change their government, and the government uses force to maintain its power. The government is also believed to be responsible for widespread human rights

abuses in neighboring Lebanon, where it still stations troops. The recent accession of Bashir al-Assad to his father's position as leader of Syria may lead to a change in Syrian human rights policies.

The government does not use political assassinations, but political conflicts between the government and supporters of President Assad's brother, Rif-at al-Assad, have resulted in deaths on both sides. The police are believed to sometimes detain political prisoners for long periods of time. Very little is known about the condition of these prisoners.

The use of torture by police and security forces is believed to be widespread. Methods of torture include beatings, electric shocks, and pulling out fingernails. The government does not prosecute those believed to be guilty of using torture. The police often make arbitrary arrests with little or no evidence. They often detain alleged criminals for extended periods of time.

Syrian courts are sometimes corrupt and are often influenced by pressure from the government. In security cases, the government is able to determine verdicts. The Supreme State Security Court does not follow international standards of justice. In civil cases, the judiciary sometimes shows a fair degree of independence. Military courts are alleged to operate with few restrictions and regularly violate the human rights of those called before them.

Syrian prisons do not meet international human rights standards. Food and medical care are poor, and prisoners have few rights. They are sometimes denied the right to see family members. The government does not permit visits by human rights advocates.

The government restricts the right to privacy. Government agents listen to phone conversations, and police are able to enter private homes on very little pretext.

The government does not protect freedom of speech and freedom of the press. The government does not allow criticism of the president, the government, or government policies. All newspapers and television and radio stations are owned by the government. Journalists practice self-censorship. Foreign publications circulate fairly freely. Academic freedom is restricted.

Freedom of assembly is not protected. The government restricts public demonstrations and uses force to prevent unauthorized protests.

The government generally protects freedom of religion. Although an Islamic country, Christians, Jews, and people of other faiths are free to practice their religion in Syria. Ethnic discrimination is more common than religious discrimination. Ethnic minorities are generally protected from discrimination, but the Kurds, who live in northern Syria, face ongoing discrimination. This may be because the Kurds, unlike other Syrian ethnic minorities, wish to form their own state and thus pose a threat to the Syrian state's territorial integrity.

Women face heavy discrimination in Syria. Violence against women is common. Spousal rape is not considered a crime, and many women refuse to seek help in cases of spousal abuse because of fear of social stigma. The law favors men over women, particularly in divorce and property matters. Nevertheless, compared to other Islamic countries, Syria has a sizable number of women serving in government positions in the bureaucracy, the judiciary, and the armed forces.

Child abuse occurs but there is no societal pattern of child abuse. The government

does little to prevent discrimination against the disabled.

The government does not allow local human rights groups to operate. International human rights groups have occasionally been allowed to visit Syria for short periods of time.

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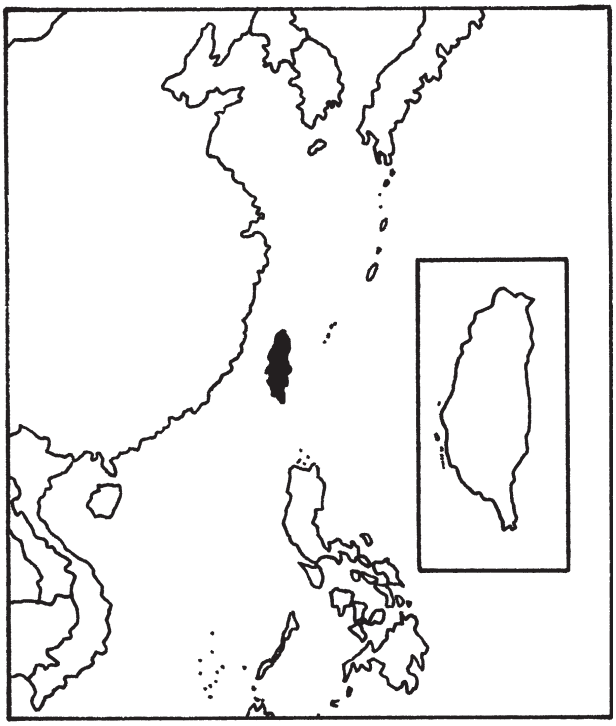
Taiwan



Taiwan is an island located in Asia between the East China Sea and the South China Sea. Its nearest neighbor is China. Taiwan has a population of approximately 22 million, most of whom are ethnic Taiwanese. Descendents of mainland Chinese make up 14 percent of the population. The capital is Taipei. Mandarin Chinese is the official language. Most Taiwanese practice a mix of Buddhism, Taoism, and Confucianism. Taiwan is a democratic republic headed by a president. Taiwan's official name is the Republic of China, but the People's Republic of China (PRC) insists that Taiwan is part of the PRC, and therefore can have no independent name. As a result, most of the world's nations, do not use the name Republic of China for fear of offending the PRC. This is the reason Taiwan has no seat in the United Nations (UN).

BACKGROUND

For most of China's history, Taiwan was an independent island, free from Chinese control. Although the Taiwanese borrowed from Chinese culture and adopted many Chinese practices, they still kept their own traditions and language. In the seventeenth century, China acquired Taiwan, and some Chinese began immigrating to the island, giving it a more pronounced Chinese flavor.

In 1895, Japan annexed Taiwan after defeating China in a war. The Japanese controlled the island from 1895 to 1945, at which point the island returned to Chinese control, at the end of World War II.

In 1949, the Nationalist government of China was defeated in a civil war with the Communists. Nationalist troops and refugees fled to Taiwan, which became their only remaining portion of the former Chinese Empire. The rest of China was under the control of the Communist Party and was renamed the People's Republic of China.

After 1949, therefore, there were two Chinas. Mainland (Communist) China, which included hundreds of millions of people, and Taiwan (Nationalist China), which had only a few million. Both the government of mainland China and the government of Taiwan insisted that there was only one China, and each one also insisted that it was the sole, rightful ruler of that single Chinese entity. Both these claims were false—for all practical purposes there were two separate Chinas, each with its own government—but they kept alive the dream that one day the two Chinas would be reunited.

Taiwan might have quickly lost this uneven contest if not for the fact that during the cold war Taiwan was protected from communist invasion by U.S. troops and U.S. naval ships. Even after the United States established relations with mainland China (and Taiwan was replaced by mainland China in the UN), American military strength protected Taiwan.

During the cold war, Taiwan was an authoritarian state under the control of the Kuomintang (the Nationalist Party). In the late 1980s, Taiwan began to slowly move to create a more democratic government. In 1996, it held its first open presidential elections. In new elections held in 2000, the Nationalist Party lost control of the country, confirming Taiwan's transition to a democratic system.

Most Taiwanese would probably prefer to remain independent and keep their newly won democratic freedoms rather than merge with mainland China and come under the control of the Communist Party. Fear of China's military power, however, keeps the Taiwanese government from openly declaring its independence.

Taiwan is a prosperous country whose wealth comes mostly from manufacturing. Taiwanese businessmen invest in economic endeavors throughout Asia, including those in mainland China. The Taiwanese have a high per capita income.

HUMAN RIGHTS

Taiwan generally a good job of protecting human rights. However, there are some human rights problems, largely stemming from Taiwan's long periods under authoritarian rule.

As the elections of 1996 and 2000 prove, the Taiwanese have the key human right of being able to choose their own government. Taiwan's elections are free and open, with all parties sharing in the possibility of victory. Elections have been marred by some corrupt practices—vote buying and slanted media coverage—but these do not seem to have affected their essential fairness.

Although the Code of Criminal Procedure forbids violence and threats agains those accused, there are reports of police abuse. Torture is officially forbidden, but it still sometimes occurs. In Taiwan's legal system, there is a heavy emphasis on obtaining confessions in order to prove guilt. Police often use coercive methods, sometimes verging on torture, to gain confessions. In some cases, these confessions seem to have little connection to the physical realities of the crime. However, there are ongoing efforts, which seem to have been somewhat successful to reduce these police abuses.

The constitution created an independent judiciary, but problems with corruption remain. Some judges take bribes, and others can be swayed by government pressure.

Prisons in Taiwan usually meet international standards. Yet there are still problems. Prisons are usually overcrowded, and often those detained for crimes spend excessive time in jail before being brought before a judge. Prisons allow visits by human rights monitors.

In theory, Taiwan grants its citizens the right to privacy, but in practice it is very easy to obtain wiretaps of telephone conversations. The police also often conduct searches of private residences without obtaining warrants and subject people to roadblocks and identity checks.

Taiwan generally does protect freedom of speech and freedom of the press. Taiwan has a lively collection of media outlets, and journalists criticize the government freely. Television stations are somewhat more cir-

Prepared for protestors, police in riot gear stand in front of a government building, 1996.

cumscribed in expressing their views, and some stations are under the influence of the government. The only major restriction on freedom of the press is in the form of police raids against printers of pornography. There is little restriction on academic freedom. Workers are able to form unions and, with some restrictions, can strike for better wages.

Freedom of religion is protected in Taiwan. Most Taiwanese practice a combination of Buddhism, Taoism, and Confucianism, but there are also significant numbers of Christians, who are able to worship in complete freedom.

The Taiwanese constitution prohibits discrimination against women. Despite this prohibition, discrimination exists. Women are not widely represented in business or politics. Their pay tends to be somewhat lower than that of men working in the same jobs. Violence against women is also a problem. Spousal abuse, when it occurs, is often hidden because of the societally imposed shame that women feel. There is a great deal of pressure on women to avoid calling for help from the police or the courts. The government has made some progress in reducing the level of domestic violence.

The government protects the rights of children, but abuses still occur. Domestic child abuse is a problem, but a number of government departments are dedicated to reducing its prevalence. Child prostitution also occurs. The government is trying to eliminate this practice.

Discrimination against the disabled is illegal, and the government has mandated that all buildings be accessible to the disabled. New buildings generally comply with this mandate, but older buildings often do not provide access. Societal discrimination against the disabled remains a problem.

Taiwan's non-Chinese minority consists of the descendents of the Malayo-Polynesians. There are numerous laws protecting the aboriginal peoples, but the country has a long history of abuse and discrimination against them.

Domestic and international human rights groups are allowed to operate freely in Taiwan.

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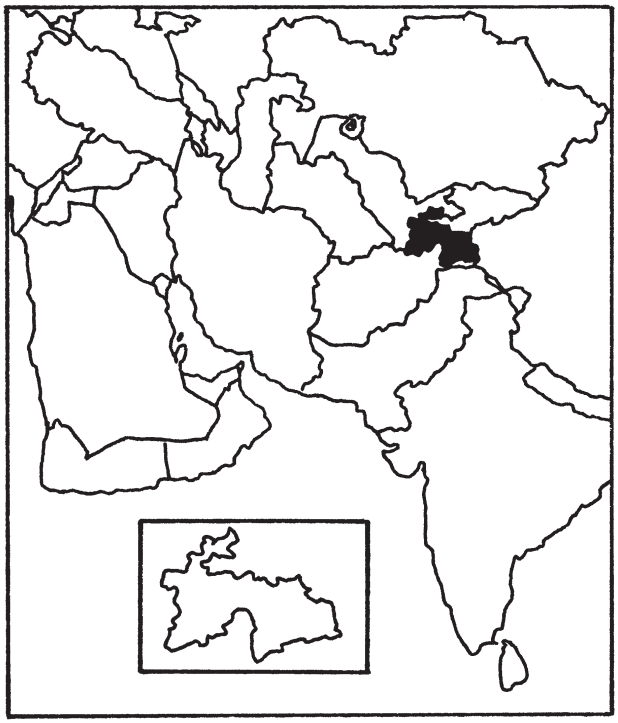
Tajikistan



The Republic of Tajikistan is located in central Asia, west of China. Dushanbe is the capital city. The population was estimated at 6.1 million in 1999. It comprises Tajiks (65 percent), Uzbeks (25 percent), Russians (3.5 percent), and other ethnic groups. Sunni Islam and Shi'a Islam are practiced by 80 percent and 5 percent of the population, respectively. Tajik is the official language, although Russian is also spoken in government and business.

BACKGROUND

Tajikistan was conquered by the Russian Empire in the nineteenth century and then became a part of the Soviet Union after the Russian Revolution of 1917. After the fall of the Soviet Union in 1991, Tajikistan declared its independence.

Tajikistan is nominally a republic. Its constitution was adopted on November 6, 1994. The executive branch of the government consists of the president, the prime minister, and the council of ministers. A unicameral Supreme Assembly makes up the legislative branch, and the judiciary consists of the Supreme Court.

Since the country achieved independence from the former Soviet Union on September 9, 1991, it has experienced three changes of government and a five-year civil war. A peace agreement was signed in June 1997, but implementation has been slow. The 1999 presidential election was considered neither free nor fair.

Tajikistan features the lowest per capita gross domestic product among the former Soviet republics. Its economy is based on the agricultural sector, with cotton being the most important crop. Among its mineral resources are silver, gold, uranium, and tungsten. The industrial sector is dominated by a large aluminum plant, hydropower facilities, and small, obsolete factories mostly in light industry and food processing. The country depends on aid from Russia and Uzbekistan and on international humanitarian assistance for many of its basic needs.

HUMAN RIGHTS

The government restricts the human rights of its citizens in several areas.

Extrajudicial killings and extortion are committed routinely by security forces for

a variety of reasons, both political and economic. In addition, some murders are committed by the former opposition troops, as well as independent warlords.

Although torture is prohibited by the constitution, in practice the government violates this provision. Security officials regularly beat detainees in custody and use systematic torture to extort confessions. Security officials are also probably responsible for the large number of disappearances of persons taking place each year. In addition, the taking of hostages is very common, both for revenge or as bargaining chips in negotiations. Harsh prison conditions, a lack of food, and inadequate medical treatment often result in a significant number of deaths of prisoners in custody.

Arbitrary arrest and detention, as well as lengthy pretrial detention, represent a serious problem. The judicial system is very inefficient. There are often long delays before trials. Furthermore, judicial officials are influenced heavily by both the political leadership and, in many instances, by armed paramilitary groups. In general, judges are poorly trained and lack understanding of the concept of an independent judiciary. Corruption is commonplace.

Although the constitution provides for the inviolability of the home and prohibits interference with correspondence, telephone conversations, and postal and communication rights, the authorities routinely infringe on citizens' right to privacy.

In addition, the government severely restricts the freedoms of speech and the press. Journalists, broadcasters, and individual citizens who disagree with government policies have difficulty speaking freely or critically. The government exercises control over the electronic media, printing presses, the supply of newsprint, and broadcasting facilities. Self-censorship is very common among journalists and editors, who are fearful of reprisals from both government officials and semi-independent military warlords.

The authorities strictly control the freedoms of assembly and association of political organizations. The government also interferes with citizens' right to change their government peacefully and freely. Democracy does not function well in Tajikistan. Moreover, some opposition party activists are either in jail or in self-exile abroad.

The constitution prohibits discrimination on the basis of nationality, race, sex, language, religious beliefs, political persuasion, social status, knowledge, and property. However, in practice there is widespread discrimination, stemming in part from cultural tradition as well as from the lingering hostilities in the aftermath of the 1992 civil war.

Violence against women, particularly rape and spousal abuse, is a common problem. In both urban and rural areas, many cases of spousal abuse go unreported and many of those cases reported are not investigated. There is a widespread reluctance to discuss the issue or provide assistance to women in abusive situations. Furthermore, prostitutes operate openly at night, and trafficking in women is common—particularly among groups involved in the narcotics trade with Afghanistan—despite the laws against keeping brothels; procuring, making, or selling pornography; infecting another person with a venereal disease; and sexual exploitation of women. In rural areas, women are often physically harassed by conservative Muslims for not wearing traditional attire. Girls often are pressured into marrying men that they do not choose. Illegal polygamy is also common.

Discrimination against the disabled is a problem, despite the 1992 Law on Social

Protection of Invalids, which stipulates the rights of the disabled to employment and adequate medical care. Furthermore, the government does not require employers to provide physical access for the disabled.

Although the government allows international human rights groups to perform certain activities—such as holding seminars on the rule of law, an independent judiciary, and international humanitarian law—citizens rarely form their own human rights organizations out of fear of persecution by the government or extragovernmental elements.

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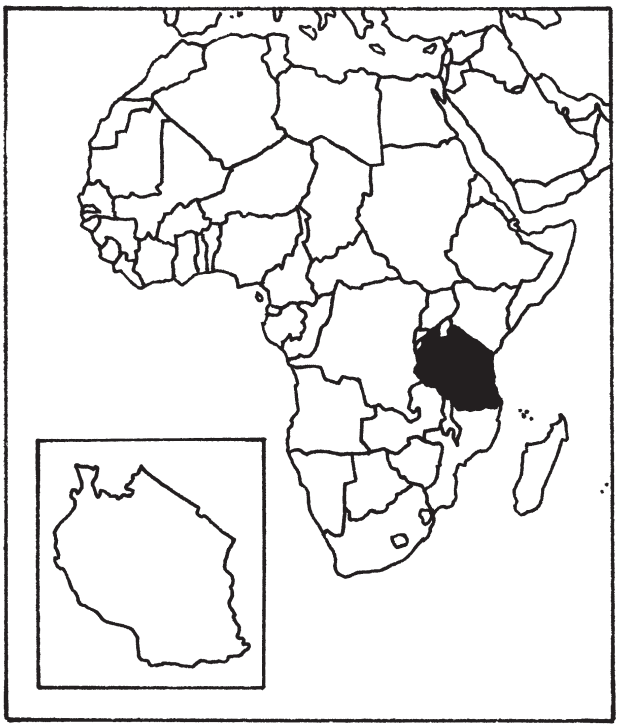
Tanzania



The United Republic of Tanzania is a country in eastern Africa, bordering the Indian Ocean, between Kenya and Mozambique. Dar es Salaam is the capital city. The population, which was estimated to be 31.2 million in 1999, consists mainly of people belonging to different Bantu tribes (95 percent). Other ethnic groups include Asians, Europeans, and Arabs. Arabs are particularly present in Zanzibar, where more than 99 percent of the population is Muslim. Forty-five percent of the population practices Christianity; Islam and a number of indigenous beliefs are practiced by 35 percent and 20 percent of the population, respectively. Swahili (called Kiunguju in Zanzibar) and English are the official languages of Tanzania. Arabic is widely spoken in Zanzibar.

BACKGROUND

Tanzania is one of the poorest countries in the world. Its economy is largely based on agriculture, which provides 85 percent of its exports and employs 90 percent of the workforce. The industrial sector is mainly limited to processing agricultural products and producing light consumer goods. The World Bank, the International Monetary Fund, and other donors have provided funds, with only limited success, to rehabilitate Tanzania's deteriorated economic infrastructure.

The government of the republic consists of an executive branch (the president, the vice president, and the prime minister), a legislative branch (unicameral National Assembly), and a judiciary (Court of Appeal, High Courts, district courts, primary courts, and Islamic courts in Zanzibar).

European exploration of Tanganyika (Tanzania) began in the mid-nineteenth century. In 1891, the German government took over direct administration of the territory from the German East Africa Company and appointed a governor with headquarters at Dar es Salaam. European rule provoked African resistance, culminating in the Maji Maji rebellion of 1905–1907.

German colonial domination of Tanganyika ended after World War I, when control of most of the territory passed to the United Kingdom under a League of Nations mandate. After World War II, Tanganyika

Girls drawing water from a well. Lack of clean water is a problem in some Tanzanian villages.

became a United Nations trust territory under British control. Subsequent years witnessed Tanganyika moving gradually toward self-government and independence.

Tanganyika achieved independence on December 9, 1961. Tanganyika became a republic within the Commonwealth a year after independence. Zanzibar became independent in 1963. On April 26, 1964, Tanganyika united with Zanzibar to form the United Republic of Tanganyika and Zanzibar, renamed the United Republic of Tanzania. In 1995, the nation held its first multiparty elections for president and legislature since becoming a republic.

HUMAN RIGHTS

The government restricts the human rights of its citizens in several areas.

The constitution prohibits the use of torture and inhumane or degrading treatment, but the police regularly threaten, mistreat, or beat suspected criminals during and after their apprehension and interrogation. Police also use the same means to obtain information about suspects from family members not in custody. Pervasive corruption is a serious problem in the police force. Furthermore, prison conditions are harsh and dangerous. Prisons are generally overcrowded, and serious diseases, such as dysentery, malaria, and cholera, are common and result in many deaths. Arbitrary arrest and detention are also problems.

The constitution provides for an independent judiciary, but political interference is very common. Lower levels of the judiciary, in particular, are corrupt and inefficient.

The state routinely interferes with privacy rights. Moreover, despite the constitutional provisions for freedoms of speech and of the press, the government limits these rights in practice. Such laws as the Newspaper Act and the Broadcasting Act limit the media's ability to function effectively, and the government often pressures journalists to practice self-censorship. The government also denies its political opponents unrestricted access to the media.

Government limits the freedoms of peaceful assembly and of association. Opposition politicians have been arrested for holding meetings, distributing information, and performing other acts that the government regards as seditious. Furthermore, the constitution and the law stipulate that citizens cannot establish new political parties.

The government imposes some limits on the freedom of movement within the coun-

try, as well as on foreign travel, emigration, and repatriation. Passports for foreign travel may be difficult to obtain, mostly a result of bureaucratic inefficiency and officials' demands for bribes.

The constitution prohibits discrimination based on nationality, tribe, origin, political affiliation, race, or religion. Discrimination based on sex, age, or disability, however, is not prohibited specifically by law. Discrimination against women and religious and ethnic minorities is common and represents a serious problem. In particular, the Muslim community claims it is discriminated against by the Christian population.

Violence against women is widespread. The Marriage Act of 1971 made a statement criticizing spousal battery, but did not prohibit it or provide for any punishment. Traditional customs that subordinate women remain strong in both urban and rural areas. Women may be punished by their husbands for not bearing children. It is accepted that a husband may treat his wife as he wishes, and wife beating occurs at all levels of society. Cultural, family, and social pressures prevent many women from reporting abuse to authorities. Custom and tradition often hinder women from owning property. Male colleagues often harass women seeking higher education. In Zanzibar, women face discriminatory restrictions on inheritance and ownership of property because of concessions by the government and courts to customary and Islamic law.

Although the government officially discourages the practice of female genital mutilation, this practice is still performed at an early age by approximately 20 of the country's 130 main ethnic groups, affecting 18 percent of the female population. In some ethnic groups, the practice is compulsory, and in others, a woman who has not undergone the practice may not be allowed to marry.

The government does not mandate access to public buildings, transportation, or government services for persons with disabilities. Although there is no official discrimination against the disabled, in practice the physically disabled effectively are restricted in their access to education, employment, and other state services due to physical barriers.

In general, workers do not have the right to form or join organizations of their choice.

Although international human rights groups are welcome to visit the country, the government has obstructed the formation of local human rights groups, denying them registration.

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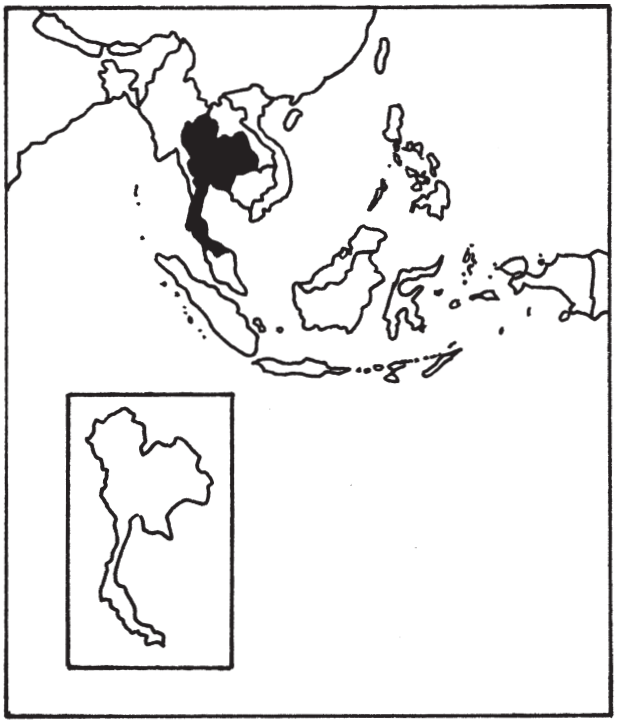
Thailand



The Kingdom of Thailand is in Southeast Asia, bordering the Andaman Sea and the Gulf of Thailand, southeast of Myanmar (Burma). Bangkok is the capital city. Thailand's population was estimated at 60.6 million in 1999. It includes Thai (75 percent), Chinese (14 percent), and other ethnic groups (11 percent). Buddhism is the majority religion (95 percent). Nearly 4 percent of the population practices Islam; Christianity, Hinduism, and other religions are practiced by a very small percentage of the population. Thai is the official language, and English is the secondary language of the elite. Several ethnic and regional dialects are also spoken throughout the country.

BACKGROUND

After years of rapid economic growth, Thailand has been experiencing a severe economic crisis since July 1997, when the government decided to float the national currency. With the depreciation of the Thai baht and the collapse of domestic demand, imports have fallen off sharply. Foreign investment for new projects, the longtime catalyst of Thailand's economic growth, has also slowed.

Thailand is a constitutional monarchy. The executive branch of the government consists of the king and the prime minister. The bicameral National Assembly makes up the legislative branch, and three different levels of courts—the highest of which is the Supreme Court—form the judiciary.

Thailand has never been colonized. Thais date the founding of their nation to the thirteenth century. According to tradition, in 1238, Thai chieftains overthrew their Khmer overlords at Sukhothai and established a Thai kingdom. Beginning with the Portuguese in the sixteenth century, Thailand had some contact with the West, but until the 1800s, its relations with neighboring nations, as well as with nearby India and China, were of greater importance. Thailand did not establish firm connections with Western powers until the end of the nineteenth century. In 1932, a bloodless coup transformed the government of Thailand from an absolute to a constitutional monarchy. Although nominally allowing elections, in reality Thailand was ruled by a series of military governments inter-

spersed with brief periods of democracy from that time until the 1992 elections. Since the 1992 elections, Thailand has been a functioning democracy with constitutional changes of government.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, although some problems persist in several areas.

Some police officers have been responsible for using lethal force in apprehending criminal suspects. Although the Criminal Code prohibits cruel, inhumane, or degrading treatment or punishment, some police occasionally beat suspects in order to coerce confessions. Security forces in border areas have also been accused of beating people. Prison guards often resort to physical abuse and extrajudicial killings of both Thai and foreign prisoners in cases of disciplinary problems. Moreover, prison authorities sometimes use solitary confinement to punish difficult prisoners. They also use heavy leg irons randomly and without apparent cause. Prisoners caught in escape attempts were reported to have been beaten severely.

Although the constitution provides for an independent judiciary, the courts have a reputation of being moderately corrupt.

The government generally respects the privacy of its citizens, but security services have been accused of infringing upon this right by monitoring persons who espouse extremist or highly controversial views, including foreign visitors.

The government may restrict freedoms of speech and of the press to preserve national security, maintain public order, preserve the rights of others, and protect the public morals. Moreover, the 1997 constitution prohibits criticism of the royal family, threats to national security, or speech likely to incite disturbances or criticize Buddhism.

Soldiers gathered as part of crackdown on pro-democracy demonstrators, May 1, 1992.

The constitution mandates equal treatment under the law regardless of social status, religion, race, or sex. In practice, however, some discrimination exists. Violence against women, especially domestic abuse, continues to be a serious problem. Although under the Criminal Code rape is illegal, a husband cannot be prosecuted for spousal rape. Prostitution represents one of the major problems in the country. Although illegal, it is often protected by local officials with commercial interests in its continuation.

Thailand is a major source, transit, and destination for trafficking in women and children. Some women are forced into prostitution, and coerced prostitution often involves women from hill tribes and neighboring countries. Foreign women,

without family ties in the country, are particularly vulnerable to physical abuse, confinement, and exploitation. Some women are lured to Thailand with promises of jobs as waitresses or domestic helpers but then are forced to work as prostitutes.

Child labor and the relatively short compulsory education requirements of schooling until age nine remain areas of concern.

Although the law requires that firms hire one disabled person for every 200 other workers, this provision has not been enforced. The new constitution provides for access to public facilities by disabled persons, but laws implementing these provisions have not yet been enacted.

The integration of ethnic minorities into society is limited. Only half the estimated 700,000 to 800,000 members of hill tribes are reported to hold citizenship papers or certification that they are eligibile for future citizenship. The remainder lack documentation, and thus access to government-provided education and health care. As non-citizens they are also barred from participating in the political process.

According to union leaders, employers often discriminate against workers seeking to organize unions.

A wide variety of local human rights organizations operate in the country without government restriction. In 1999 new legistation created a permanent National Commission on Human Rights.

Barbara and Michela Zonta

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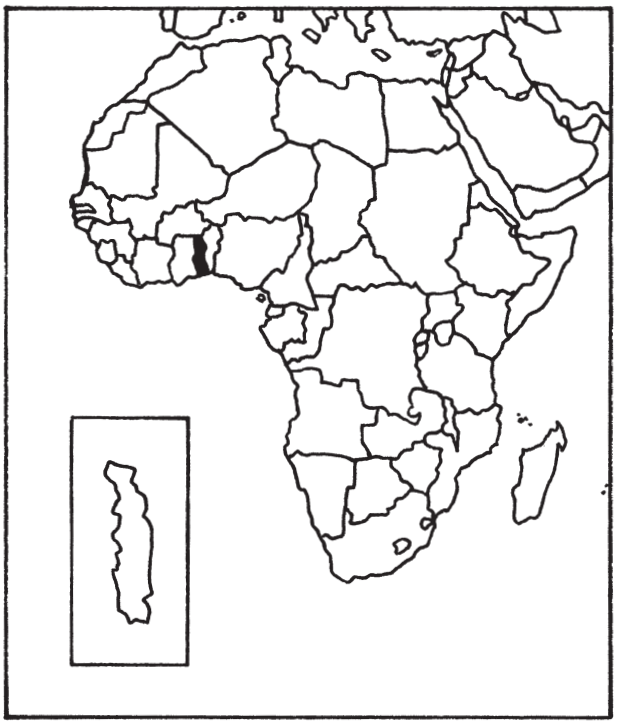
Young girls in Chiang Mai, recently rescued from brothels. The girl on the right is fourteen and has tested positive for HIV, April 1, 1992.

Togo



The Republic of Togo is located in west Africa. Its neighbors are Ghana, Benin, and Burkina Faso. Its population is approximately 5 million, divided between a large number of ethnic groups. No ethnic group is a majority of the population. The capital is Lomé. Most of the population practice traditional beliefs; about 20 percent are Christians and 10 percent are Muslims. The government is a republic headed by a president.

Togo became a German colony in the 1880s but was taken over by the French after World War I. The French granted Togo its independence in 1960. Togo's governments have been characterized by military rule and electoral fraud.

The country is fairly poor, with an annual per capita income of less than $1,000. Major exports include coffee, cocoa, and cotton.

HUMAN RIGHTS

The government does not do a good job of protecting human rights.

The citizens of Togo do not have the right to change their government. Although elections occur, they are fraudulent. Government officials and police rig election results to ensure the victory of the ruling elite. During elections, government-sponsored violence has led to many deaths.

The police arbitrarily arrest and beat suspects; these police abuses are widespread. The police also have been responsible for a number of extrajudicial killings; however, the number has been decreasing. Union and opposition leaders have been killed while in police custody. Sometimes "troublemakers" are made to "disappear" by government forces. When police do arrest people, it is often with little or no legal justification for doing so. Sometimes those arrested are kept incommunicado for days.

Torture by the police is also common. Torture includes beating, burning, and starvation. The police are believed to have tortured a human rights monitor to death. Police are not prosecuted for these crimes.

Prison conditions are poor. Overcrowding, poor food, and sometimes non-existent sanitation facilities are all serious problems. Disease is very common. Prison guards charge inmates fees to use the toilet or take a shower.

Togo's court system is overburdened and understaffed. Judges are supposed to be

This refugee from Togo says he faces torture if he goes home. Nevertheless, he is being sent back from Sweden, August 1993.

independent, but in reality they respond to pressure from the president and other senior officials.

The right to privacy is not well protected. Police and security forces enter homes and search them without warrants. The government also taps into private phone conversations. The constitution provides for freedoms of speech and of the press, but the government does not protect these rights. Journalists are harassed by physical attacks as well as by government lawsuits. Police also have invaded the offices of pro-opposition newspapers, wrecked equipment, and seized copies of the newspapers. In spite of this ongoing harassment, Togo still has an active and lively press.

Citizens are not allowed to protest or assemble freely despite constitutional provisions. Police regularly break up anti-government demonstrations.

The government does not interfere with the right to worship freely.

Discrimination against women is serious and pervasive despite constitutional protections. Women have little opportunity to advance in Togo's business or political worlds. Female genital mutilation is common in some ethnic groups; the government has passed a law forbidding it, but this law is not rigorously enforced. Forced prostitution is also a serious problem. In addition, domestic violence remains a serious problem. Although there are laws pro-

tecting women from domestic violence, the police do not generally involve themselves in disputes between spouses.

Children's rights are not well protected. Children are often used as forced laborers, and there are not sufficient resources allocated by the government to ensure that all children receive an education, although school attendence is mandatory for both boys and girls until age fifteen.

The government does not provide easy access for human rights monitors. The police often arrest human rights advocates. Even so, there are a number of local human rights groups that are very active in monitoring the situation in Togo.

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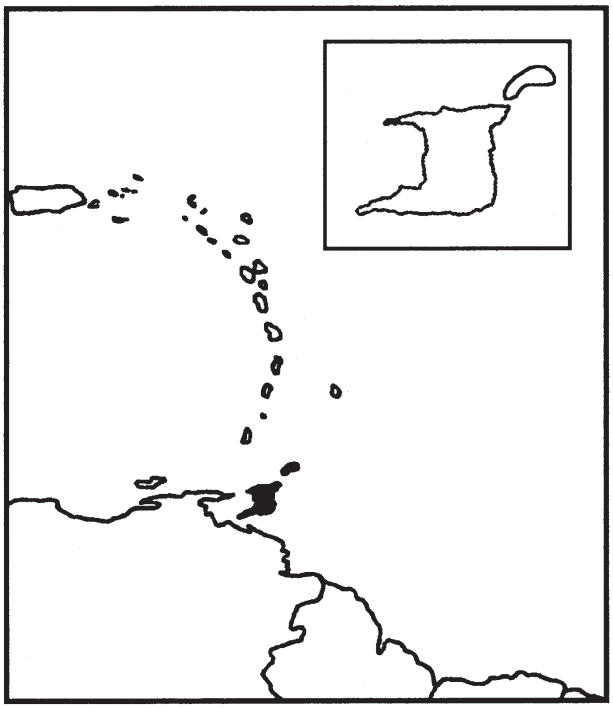
Trinidad and Tobago



A two-island nation located in the Caribbean, the Republic of Trinidad and Tobago is located near Venezuela. The population is slightly more than 1 million and is divided almost equally between the descendents of African slaves and South Asian indentured servants. English is the official language. The main religions are Catholicism, Protestantism, and Hinduism. The country is a parliamentary democracy headed by a prime minister.

Captured by the English in 1802, Trinidad and Tobago remained a British colony until 1962, when it gained its independence. The country has extensive oil reserves and an oil refining service sector that also processes Middle Eastern oil imports.

Trinidad and Tobago is a democracy. The electoral generally functions well but some tensions have resulted between people of African ancestry and people whose ancestors came from South Asia. A milestone was achieved in 1995, when Trinidad and Tobago chose its first South Asian prime minister, Basdeo Panday.

HUMAN RIGHTS

Trinidad and Tobago is a satisfactory defender of its people's human rights.

The citizens of Trinidad and Tobago are able to freely choose their own government. The system of government is parliamentary and is modeled on that of Britain. Elections are free and open, and the government does not interfere with the electoral process.

The police generally act within the law and do not abuse prisoners. The police do not use torture. Prisoners in Trinidad and Tobago are reasonably well treated. There is some overcrowding in prisons, however, which causes more rapid spread of disease. The government is building new facilities to solve this problem.

The judiciary is independent, and the courts provide defendants with a fair trial. The worst problem is inefficiency, which leads some cases to be dismissed because of errors by police or the courts.

The law protects the rights to privacy, free speech, and a free press. There are a number of active and independent newspapers that criticize the government without fear of interference. The government also protects academic freedom, and the right to worship freely.

The government protects the rights of all ethnic groups. There is some racial tension between black and South Asian people in Trinidad and Tobago, and these tensions have led to some discrimination, particularly by South Asians toward blacks.

Discrimination against women remains a problem in Trinidad and Tobago. Women serve in all areas of the economy and government, but men generally hold the higher, better-paying positions. Spousal abuse is also common. The government has taken steps to reduce violence against women. The government's efforts are sometimes handicapped by a cultural tradition that views spousal abuse as acceptable. As a result of this tradition, some police are reluctant to intervene in cases of spousal abuse.

Generally, the government protects the rights of children. Trinidad and Tobago is a poor country, however, and the government is not able to provide all the services that it might. Because of this, some children do not have access to a healthy learning environment. Schools remain overcrowded and in poor condition.

The government cooperates with all local and international human rights groups and monitors.

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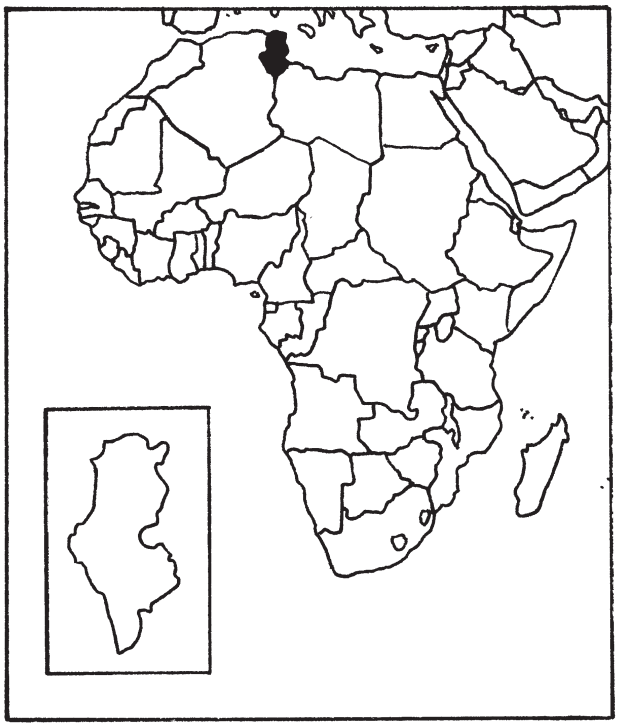
Tunisia



The Republic of Tunisia is located in northern Africa, bordering the Mediterranean Sea, between Algeria and Libya. Its capital is Tunis, and it won independence from France in 1956. Its legal system, like that of other former French colonies in the region, is based on both French civil law and Islamic law. Its economy is diverse, with mining, energy, agricultural, manufacturing, and tourist sectors. The government is heavily involved in Tunisian commerce, although in the past decade, Tunisia has made an effort toward privatization and simplification of the tax structure. Tunisia is an associate country in the European Union (EU), which will gradually allow it to lower tariffs and remove other barriers to trade with the EU over the next ten years.

Although Tunisia has a republican government structure, which presupposes electoral choice, Tunisia is run by one political party, the Constitutional Democratic Rally (RCD). President Zine El-Abidine Ben Ali has been in power since 1987.

HUMAN RIGHTS

Under the RCD, the government has been intolerant of political dissent and harshly restricts religious freedom. According to Amnesty International, at the close of 1999, Tunisia held over 1,000 political prisoners, most of them supporters of an unauthorized religious group, an-Nahda. Although Tunisia has been almost entirely free of political violence for several years, Tunisian officials insist that members of an-Nahda are extremists and terrorists, alleging that they played a role in isolated disturbances and also plotted a coup against President Ben Ali.

To this end, Tunisian authorities have increased restrictions on the Internet while at the same time increasing access to it. Human rights organizations' websites, such as Amnesty International, are reportedly blocked throughout the country. Tunisians cannot get free web-based email service because known human rights advocates within the country set up accounts on these sites. Activists within Tunisia have accused the government of intercepting and interfering with their Internet communications on a regular basis. Some students and professors have been detained for questioning because of their use of their Internet accounts.

Tunisian woman working on her land.

On May 3, 1999, for the second year in a row, the Committee to Protect Journalists named President Ben Ali as one of its "ten worst enemies of the press." The government has refused Tunisian journalists permission to travel abroad, withheld press credentials, and placed under constant surveillance journalists who have written articles critical of the government. There are independent newspapers and magazines, including two journals published by opposition parties. However, Tunisian authorities impose a combination of direct and indirect censorship on all publications and require that all printers and publishers supply security forces with advanced copies. The government has blocked the publication of many articles in this manner.

Security forces within Tunisia have made use of torture and arbitrary detention in dealing with political dissidents and opponents of Islam. Torture methods included submersion of the head in water; electric shock; beatings with hands, sticks, and batons; cigarette burns; and food, water, and sleep deprivation. Other alleged torture methods include the "rotisserie" method: stripping prisoners naked, manacling their wrists to their ankles, suspending them from a rod, and beating them. Prisoners have also been beaten on the soles of their feet, hung on the doors of their cells until they lost consciousness, and confined in tiny, unlit cells.

The International Federation of Human Rights League published a report in No-

vember 1998 accusing Tunisian authorities of using torture in a "blatant, grave and systematic" manner. The report lists at least 500 known cases of torture between 1990 and 1998, including thirty cases where it resulted in the death of the prisoner. Many cases of torture go without notice, however, because authorities often deny medical examinations until the evidence has disappeared. The government does not allow international organizations to monitor prison conditions. At no time were any security officials disciplined for these blatant human rights violations.

Tunisian law allows authorities to arrest citizens without warrants and detain them incommunicado for up to ten days. During this ten-day period the accused do not have the right to legal representation. Human rights observers maintain that authorities often illegally extend this ten-day period by falsifying the date of arrest. In one recent case, a citizen was held for over a year before she appeared before a judge.

There is no limit to how long a case may be held over for trial, nor is there a legal imperative for a speedy hearing. The authorities also routinely require ex-prisoners to register at a police station every day, to which human rights activists have objected as unreasonable and which prevents these citizens from holding jobs. Relatives of prisoners and dissidents living abroad are subjected to police surveillance and mandatory visits to police stations to report any contact with their relatives. Telephone surveillance is said to be common, and those who wish to send faxes first must turn over their identification cards.

In Tunisia, citizens' right to change their government is also curtailed. Electoral laws have been enacted to assist the ruling party, the RCD. Opposition presidential candidates have now been allowed to run and campaign within limits set by the government, but many have charged that the process is unfair and favorable to the ruling party candidate. The legislative branch of government does not serve as a counterbalance to the executive. Rather, it serves as a rubber-stamp for executive decisions. Ballots are not considered secret, and many may not vote for the opposition for fear of reprisal.

Under the new economic liberalization, women are enjoying increasing access to the workforce, and the government has made serious efforts to advance the rights of women in the areas of property ownership, divorce, and inheritance. Approximately 43 percent of the incoming class of university students in 1998 was female. However, women still face discrimination in the private sector, and the illiteracy rate among women is double that of men. The government has also demonstrated its commitment to public education, and has made school compulsory until the age of sixteen. It has also drafted new and more effective laws to punish child abusers.

Tunisia is a country in the midst of a capitalist transition. Its methods of coercion and illegal punishment are archaic and clash with its new priorities, but these may change as the economy improves.

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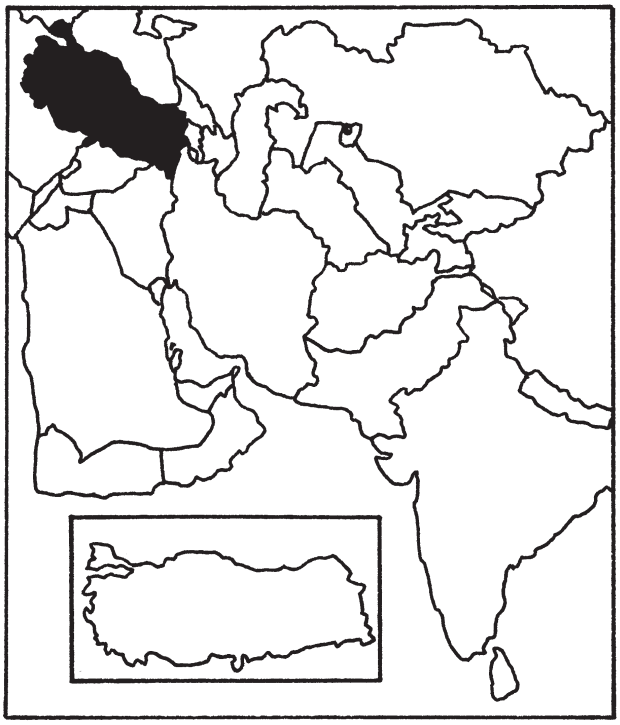
Turkey



Turkey is a Middle East country located between the Mediterranean and the Black Seas. Its neighbors are Bulgaria, Greece, Georgia, Armenia, Iraq, Syria, and Iran. Most of Turkey lies in Asia, but the part of Turkey that lies across the Bosporus is considered part of Europe. The capital is Ankara. Turkey has a population of approximately 66 million. Some 80 percent are ethnic Turks, while most of the rest are ethnic Kurds. Turkish is the official language, although Kurdish and Arabic are also spoken. Almost the entire population follows Islam. The country is a parliamentary republic headed by a prime minister.

BACKGROUND

For thousands of years Turkey, under different names, was occupied by a variety of peoples, including Hittites and Persians. The Turks were a nomadic group who moved into the region after A.D. 1000.

In the 1300s, the Ottoman Turks became the dominant Turkish group, absorbing all of the others. By 1600, the Ottomans had succeeded in creating a vast empire that covered most of the Middle East, southeastern Europe, and northern Africa. The next 300 years saw the Ottomans fall into decline and lose territory. By the end of World War I, the Turks were confined to the boundaries of modern Turkey.

After the war, Kemal Ataturk, Turkey's first modern leader, molded his country into a modern, Westernized society. Islamic dress was frowned upon, and Turks were encouraged to adopt Western ideas and styles.

After World War II, Turkey became a key ally of the United States. Turkey became a member of NATO, and allowed nuclear missiles to be based on its soil. Turkey was the West's closest Islamic ally. Since the fall of the Soviet Union, Turkey has not been as tightly allied to the United States, but remains Western in its orientation. Because of this, Turkey is eager to join the European Union (EU).

During the twentieth century, Turkey has been plagued with two ongoing problems: political instability and friction with Greece.

The hostility between Greece and Turkey dates back to the Ottoman Empire, when Turkey ruled and oppressed Greece. In the aftermath of World War I, there was more tension, leading eventually to a small war and the expulsion of many Turks from Greece and many Greeks from Turkey. Tensions were raised again in 1974, when

Turkey invaded Cyprus, a small island off the coast of Turkey, and took over those parts of the island occupied by ethnic Turks. Greece supported the Cypriots, most of whom were ethnic Greeks, and has demanded ever since that Turkey withdraw from Cyprus. Today, Turkish troops remain in eastern Cyprus.

Political instability, fueled by conflicts between left- and right-wing parties, as well as between Islamic and secularist parties, has made it difficult for Turkey's civilian government to maintain its hold on power. The Turkish army has intervened a number of times and even imposed military rule on occasion to solve what it viewed as political crises. Most recently (1997), the military forced an Islamicist government to resign and called for new elections.

Turkey also has had to deal with the problem of its large Kurdish minority. Unwilling to allow the Kurds to form a state of their own, the Turkish government has used repressive measures to keep Kurdish rebels under control. For the past fifteen years, this has fueled an ongoing war with the guerrilla fighters of the Kurdistan Workers Party (PKK).

HUMAN RIGHTS

Turkey has a mixed human rights record. It protects some freedoms of its citizens but with many glaring gaps. The ongoing war with the Kurds of the PKK has led to many human rights abuses. The human rights abuses committed by the Turkish security services are part of the reason why the EU has turned down Turkey's application for membership.

For the most part, the Turkish people have the freedom to choose their own gov-

Turkish soldiers search a Kurdish home for weapons. Such invasions of privacy are common. March 1992.

ernment. Elections are free and open, and many parties participate. The government, however, reserves the right to ban political parties that it believes are threats to the state. Parties that have been banned in the past include Islamicist parties and Kurdish parties.

The Turkish police and army are believed to be responsible for a number of extrajudicial killings. At least a dozen prisoners have died while in police custody, and it is suspected that they were murdered by the police. Kurdish independence advocates and guerrillas have been the victims of extrajudicial killings. The police and the army use force with little provocation. The Provincial Authority Law of 1996 authorizes soldiers to shoot any fleeing civilian who disobeys an order to halt. As a result, a number of unarmed people have died in confrontations with the police. The law was annuled in 1999, and further action is expected. The PKK is also believed to be responsible for some extrajudicial killings.

The Turkish police and army are believed to be responsible for a number of "disappearances." Often, those who disappeared had connections to Kurdish resistance movements.

Torture is against the Turkish constitution, and the government seems to have made some effort to eliminate it, but it continues to be a widespread practice in Turkey. It has been charged that the Turkish police sometimes use torture in the interrogation of suspects and that some suspects die as a result of this torture. Hundreds of detainees are tortured every year. Methods commonly used include electric shock and using high-pressure water hoses. Human rights groups have also documented the use of other techniques, including beating of the genitalia, hanging the victims by their arms, and various forms of sexual abuse. The government passed legislation in 1999 to punish torture by security officers, but in practice officers are rarely prosecuted or punished.

Prison conditions are poor in Turkey. Prisons are overcrowded, are short of medical supplies, have poor sanitation, and are plagued by abusive guards. Adults and juveniles are often housed together. Many prisons use prisoners to help enforce order; these prisoners are often more brutal than the guards in their treatment of fellow inmates. The Turkish government allows limited human rights inspections of its prisons.

Arbitrary detention and arrest are ongoing problems in Turkey. Detainees are often arrested on the slightest pretext and kept in detention for many days before having access to an attorney.

The Turkish constitution provides for an independent judiciary, but in practice this independence is sometimes compromised. Judges also tend to favor the government in cases concerning Kurdish militants, and therefore do not also allow these defendants their full rights under the law. Many judges are reluctant to penalize abusive police officers.

The government does an uneven job of protecting its citizens' right to privacy. The police often conduct warrantless searches, particularly in areas with large numbers of Kurds, and phone taps are believed to be common.

The government does not protect the rights of free speech and a free press. The Criminal Code forbids journalists from insulting the president, the Parliament, and the army. The government is particularly sensitive to articles that discuss either the questions of Kurdish independence or the secular nature of the Turkish state. Journalists who criticize the government are

sometimes imprisoned. The government also imprisons artists and writers who produce works that attack the government's policies. Despite these limitations, the Turkish media, both print and broadcast, actively discuss the many controversial issues faced by the government. However, the fear of arrest probably leads to some degree of self-censorship.

The constitution provides for free assembly, but this is restricted. Protestors are often beaten by the police. Occasionally army troops have used gunfire to break up demonstrations. Many protestors are arrested every year.

In theory the government protects the right to worship freely. In practice, however, the government puts limits on the religious activities of many Turks. The military, in particular, is opposed to the spread of what it views as Islamic radicalism. The government forbids women from wearing the traditional head scarves that are common in many other Muslim countries. Islamic fundamentalists are watched, harassed, sometimes arrested, and occasionally murdered. Members of other religious groups are sometimes harassed, but usually they are allowed to worship as they please.

Discrimination against ethnic minorities is a serious problem in Turkey. The Kurds especially face constant discrimination by both ordinary Turks and government representatives. The military's campaign against the PKK and its supporters has led to numerous human rights violations committed against Kurds. Arbitrary arrests, torture, and extrajudicial killings are all common. The government has also tried to restrict the use of the Kurdish language in schools, in journalism, and in publishing.

Discrimination against women is reportedly widespread. In particular, spousal abuse is considered a serious and common problem. Culture and family pressures prevent most women from bringing spousal abuse to the attention of the authorities. In rural areas, some women have been killed by family members for committing adultery or being unchaste in some other way. These murders often were not prosecuted. Although women work in government and business, it is usually at lower wages and in more junior positions than men. In conflicts over child custody and other family matters, women have fewer legal rights than men.

In general, the government is committed to protecting the rights of children. Violence against children is still common, particularly in rural areas, but the government has used education campaigns as well as prosecution to reduce its occurrence.

The government allows visits by international human rights monitors, but it sometimes limits the activities of local human rights groups.

Carl Skutsch

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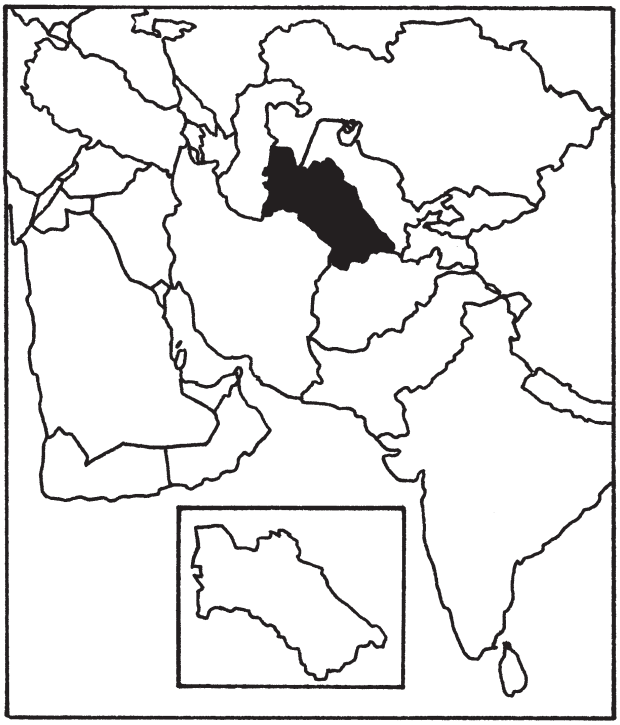
Turkmenistan



Turkmenistan is located in central Asia. Its neighbors are Kazakhstan, Uzbekistan, Afghanistan, and Iran. The capital is Ashgabat. The population of Turkmenistan is approximately 5 million. Turkmens make up 77 percent of the population, Uzbeks 9 percent, and Russians 7 percent. Most Turkmens are Muslim, but the Russian minority is largely Orthodox Christian. The government is a republic headed by a president.

Turkmenistan was conquered by the Russian Empire in the nineteenth century. The Russian Revolution created the Soviet Union, but did not give Turkmenistan its independence. Instead, it became a Soviet republic under the control of Moscow.

The collapse of the Soviet Union in 1991 gave the Turkmens the opportunity to declare their independence. Turkmenistan officially became an independent state on October 27, 1991.

Despite the end of communism in Turkmenistan, the government continued to be run by ex-communist bureaucrats and officials. President Saparmurat Niyazov has ruled since 1990 (serving as the leader of the Turkmenistan Soviet Republic before independence). Turkmenistan remains a one-party state, as it was in the Soviet era.

The country is very poor. Its main exports are cotton, oil, and gas.

HUMAN RIGHTS

Turkmenistan has a poor human rights record.

The people do not have the right to freely choose their government. Turkmenistan remains a one-party state, and the ruling party uses its control of the police, army, and media to remain in power, led by President Niyazov. Elections, when they occur, are characterized by abuses. Citizens are required to swear a personal oath of allegiance to President Niyazov.

The police are believed to be responsible for the death of prisoners in custody. Although it is supposed to be illegal, torture is still said to be common. Police reportedly use torture as a way of gaining confessions.

The police use arbitrary arrest as a means of suppressing popular dissent. Those who voice views critical of the government are often picked up and wrongfully charged with other crimes. The government has also targeted religious minorities for arbitrary arrest.

Prisons in Turkmenistan are overcrowded and unhealthy. Food is in short supply, and there are few facilities to allow prisoners to exercise. There is little protection from winter's cold or summer's heat. Some prisoners die from disease exacerbated by these poor conditions.

The Turkmenistan judicial system is neither fair nor independent. Judges are under the influence of the president and pass down whatever sentences the government wishes. Accused criminals are often denied their right to call witnesses or have access to a lawyer. Poor defendants who cannot afford a lawyer are often forced to represent themselves in court.

Privacy is not protected. The government is believed to open citizens' mail before it reaches them. Electronic wiretapping is also believed to be common.

The government does not protect freedom of speech or freedom of the press. People who speak out against the government are likely to lose their jobs, be expelled from their university, or even be arrested. All radio and television stations are controlled by the government, and all newspapers are subsidized by the government; none are critical of government officials. When citizens in exile publish reports hostile to the regime, the government sometimes reacts by punishing their relatives who remain in the country.

The government does not protect the right to freely assemble. Police regularly disperse protest rallies.

The government does not fully protect the right to worship freely. Sunni Muslims and Orthodox Christians are generally allowed to practice their faiths, subject to moderate government surveillance. Other faiths have been unable to register. The Bahai, for example, are unregistered and have seen their places of worship closed and their services broken up. The government discourages evangelism by "foreign" religions.

Ethnic discrimination continues to be a problem in Turkmenistan. Russian speakers, in particular, are discriminated against. The government requires that most official business be conducted in Turkmen. Thus there are few Russians in important government posts.

Women are discriminated against in Turkmenistan. They do not serve in the higher levels of government or the professions. Cultural pressures keep many of them at home as wives and mothers. Domestic violence against women is believed to be common, but the government keeps no domestic violence statistics.

There is no societal pattern of child abuse in Turkmenistan. Boys and girls receive the same primary school education. Classes tend to be overcrowded, however, and educational standards are not high.

There is little help for the disabled. Facilities for the disabled are poor, including those for the mentally challenged.

The government does not permit local human rights groups to exist. Foreign human rights representatives have had restricted access to the country during their visits.

Carl Skutsch

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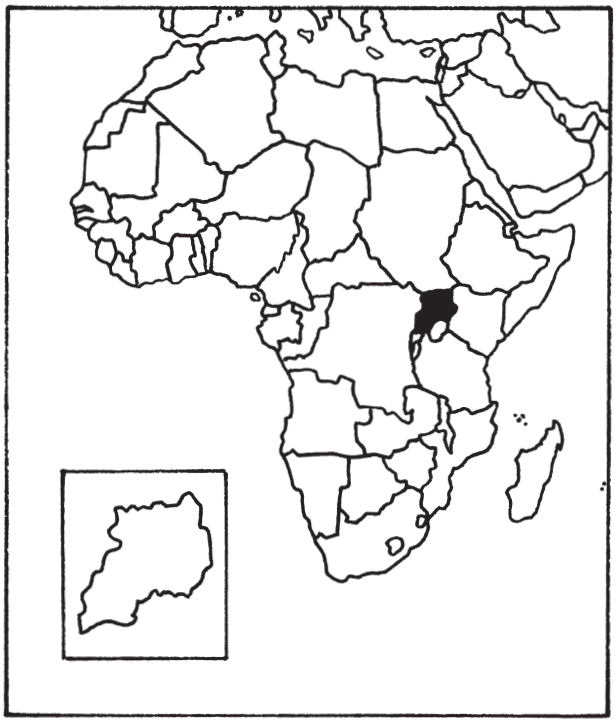
Uganda



The Republic of Uganda is located in eastern Africa, between the Democratic Republic of the Congo to the west and Kenya to the east. Its capital is Kampala, and Uganda achieved its independence from Britain in 1962. President Lieutenant General Yoweri Kaguta Museveni serves as the chief of state and the head of government, having seized power in 1986. There is only one political organization in Uganda, the National Resistance Movement (NRM), which purports to represent the will of all Ugandans. The economy of Uganda is largely agricultural.

The NRM relies chiefly on the Uganda People's Defense Force (UPDF) for internal security. The president serves as commander-in-chief of this organization, in addition to his other duties. The Directorate of Military Intelligence serves as one of the information-gathering wings of the UPDF. The UPDF also cooperates with groups of vigilantes, particularly along its shared border with the Democratic Republic of the Congo, as that country's internal conflicts occasionally spill into Uganda. The UPDF, the directorate, and local groups under their control have all been charged with comitting substantial human rights abuses in recent years.

HUMAN RIGHTS

There have been no reports of political killings on the part of the government, but members of the UPDF and the directorate have committed extrajudicial killings. The police are often overzealous and brutal in the treatment of suspected criminals. In western Uganda, Muslims have complained of persecution and mistreatment at the hands of government officials. Some claim to have been tortured, ostensibly to exact confessions. Investigation continues into a 1998 incident during which police fired on students in a secondary school, killing one, and also into the death of a twenty-five-year-old man accused of stealing a bicycle who was subsequently tortured to death. Within Uganda in 1999, rebel groups, including the Allied Democratic Forces (ADF), Lord's Resistance Army (LRA), and Uganda National Rescue Front-II (UNRF-II) killed approximately 400 civilians, including children. These groups are also suspected of planting bombs in Uganda's major cities that took the lives of ten people.

Although there are no confirmed reports of politically motivated disappearances

A Ugandan man pondering a skull following a 1986 battle between rival guerrilla factions.

committed by the government, several Muslims remain missing who authorities suspected of sympathizing with rebel groups. It is believed that government forces have detained them. Rebel groups abduct civilians, many to be trained as guerrillas. Most victims are children or young adults. It is thought that the LRA abducted approximately 250 people in 1999, including young girls to be used as sex and labor slaves. According to Amnesty International, if not for the children it abducts, the LRA would have very few members. Although some of these persons have subsequently escaped or resurfaced, the United Nations Children's Fund (UNICEF) estimates that almost 5,000 children abducted by the LRA and ADF since 1987 remain missing. These organizations brainwash abducted children, forcing them to become guerrillas by beating them, sending them on long forced marches, and withholding food and water.

Prison conditions in Uganda remain harsh and life-threatening. There are no figures available on the number of deaths that have occurred due to terrible conditions, but many deaths are known to occur. Many prisons are grievously overcrowded, lacking such basics as running water or sanitation of any kind. Disease is rampant and uncontrolled because of the lack of medical care. Human rights groups have advocated a policy of state punishment that does not involve incarceration, but this has been rejected by judges who are afraid to appear corrupt. Citizens have been arbitrarily arrested and detained. Excessive detention without trial is commonplace, sometimes for periods of years. This both violates the constitutional rights of the prisoners and adds to the overcrowding of Uganda's prisons.

Freedom of speech and freedom of the press are generally respected, although some instances have been reported in which opposition politicians and journalists have been detained for questioning. They were all released within hours of their arrest. The media are generally free, and they frequently criticize the government. Internet access is widely available in urban areas and remains uncensored. Students and professors enjoy academic freedom in both public and private institutions.

The Ugandan government generally respects freedom of religion, with the exception of Muslims, who are occasionally harassed and incarcerated. Missionary groups are usually allowed into the country without incident, and religious facilities, including mosques, are allowed to operate freely.

Violence against women continues to be a problem. Uganda has no laws protecting women from physical abuse. All cases of battery must by tried under the charge of general assault. Although the Ugandan government has made provisions for the protection of mothers and children, the contents of these provisions have not been carried out because of a lack of personnel. Domestic assault is viewed, by society and the law, as a husband's prerogative. Consequently, women are more likely to file for divorce than to bring charges of assault.

Discrimination against women is traditional and widespread. Women are not given equal treatment to men in areas of divorce, inheritance, and adoption. In some areas, women are not allowed to hold property or to raise children without the presence of a man. Divorce on the grounds of adultery is more difficult for women to prove against men, and women have no legal recourse should their husbands take additional wives.

The government of Uganda has indicated its commitment to improve the welfare of its children. A universal primary education system is in place and is expanding its enrollment, although it is saddled with debt and a shortage of qualified teachers. Children have little protection against child abuse. Young girls are often raped by family members. This is rarely reported to authorities. Cases that have been reported to newspapers have been settled by the rapist or the rapist's family paying the girl's parents.

Female genital mutilation, although condemned by international health organizations, is currently practiced by only one tribe within Uganda, which now numbers fewer than 10,000 people. Ceremonies involving this mutilation are held every two years, the last one in 1998, during which a reported 965 females between the ages of fourteen and sixteen were subjected to the practice. The United Nations and other organizations continue to combat this practice through education.

There have been substantiated reports of trafficking in children and rebel groups continue to kidnap and indoctrinate many young people.

After the ravages of Idi Amin, one of the most tyrannical dictators of the twentieth century, Uganda is moving through the transition between authoritarian government and democratic republicanism. Although the economy has improved markedly in recent years, Uganda has many difficulties to overcome.

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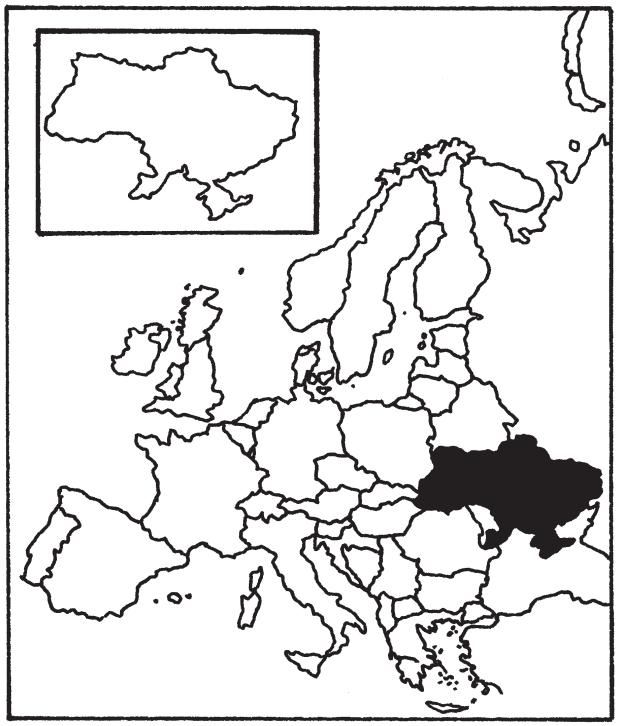
Ukraine



Ukraine is a European country with Russia, Belarus, Moldova, Romania, Hungary, Slovakia, and Poland as neighbors. Its population is approximately 50 million. Ukrainians make up 73 percent of the population, and Russians 22 percent. Ukrainian is the official language, but Russian is commonly used in some areas. The capital is Kiev. The government is a republic headed by a president.

BACKGROUND

Slavic settlers moved into Ukraine more than 2,000 years ago. After invasions by Scandinavian Vikings, Ukraine became a center of civilization in eastern Europe. The princes of Kiev dominated the region and oversaw a thriving cultural and trading center. The Mongol invasions of the thirteenth century destroyed Kiev as a military power. The center of gravity in the eastern Slavic lands then moved to the Principality of Moscow. Ukraine was divided between its neighbors, Russia, Poland, and Lithuania.

In the eighteenth century, Ukraine was absorbed into the Russian Empire. The Russian Revolution of 1917 transformed the empire into the Union of Soviet Socialist Republics, and Ukraine was renamed the Ukrainian Soviet Socialist Republic. Its independence was completely theoretical. Ukraine remained under Moscow's control.

The collapse of the Soviet Union in 1991 allowed Ukraine to declare its independence in December of that year. The new government made limited efforts to create a free-market economy but did little to create democracy in Ukraine. The old communist leadership remained, and still remain, powerful and entrenched in the country's government.

Ukraine has suffered an economic decline since independence. Unable to compete in the markets of the West, Ukraine's factories have been forced to cut back on their production and workforces. Per capita income has fallen. Inflation has had a harsh impact on the pensions of the elderly.

Ukraine maintains close economic and political ties with Russia.

HUMAN RIGHTS

Ukraine does a poor job of protecting human rights.

The Ukrainians are able to freely choose their own government. Although the excessive influence of the government in busi-

Refugees leaving Ukraine stopped by a Polish border patrol, August 1, 1996.

ness and media gives those in power a significant advantage in elections, those elections are generally agreed to be free, fair, and open.

The police in Ukraine commit human rights abuses. Police beat prisoners, and there have been a number of occurrences of torture, some of which have resulted in the deaths of prisoners. Police also arrest people without warrants or on very slight pretexts.

Prisons in Ukraine do not meet international standards. Prisons are overcrowded and disease is common. Tuberculosis is a particular problem in Ukrainian prisons, and prison guards are often brutal.

The courts theoretically are independent, but in reality they are easily manipulated by the government. Citizens do not always have access to free and fair trials. The judicial system is corrupt and inefficient. The government has done little to combat corruption in the courts or in the government itself, quite possibly because some government officials are profiting from those corrupt practices.

The government does not protect the right to privacy. Warrantless searches are common, and the government security forces are believed to read private mail and use wiretaps to listen to private telephone conversations.

The government does not fully protect freedom of speech and freedom of the press. Newspapers with differing political views are allowed to exist, but the government

uses tax code enforcement, libel cases, and inspections to put pressure on those newspapers it considers unfriendly. There is some evidence that journalists practice self-censorship to ward off government harassment. Television stations are often under pressure to broadcast reports favorable to the government. They operate with less freedom than do the print media.

The government does not fully protect the right to freely assemble. Most protests and demonstrations are allowed to occur without interference, but the police have sometimes used force to break up demonstrations or have denied groups the right to organize demonstrations.

The Ukrainian constitution protects freedom of religion, and the government generally tries to protect this right. All religious groups are required to register with the state. Government officials sometimes harass smaller non-Orthodox Christian groups. However, the government has also been cooperative with many groups, including Jewish groups, who wish to establish or reestablish places of worship in Ukraine. Anti-Semitism exists in Ukraine, but it is not government sponsored.

Discrimination against ethnic minorities remains a problem. Ukrainian police often harass foreigners and people of color, including Asian and African immigrant workers. Roma are also often the targets of harassment. In Crimea, where there is a Russian majority, Ukrainians and Tatars complain of discrimination in employment.

Discrimination against women is an ongoing problem. Women have lower pay than men for the same work and are less likely to be promoted. Violence against women, particularly at home, is also a serious problem. Spousal abuse is illegal, but the police are often reluctant to intervene in domestic disputes.

A serious problem in Ukraine is the exploitation of women for the purpose of prostitution. Ukraine is a major source of young women who are shipped to western Europe and the Middle East and forced to work as prostitutes. Once out of Ukraine, these young women have their passports taken away and are intimidated by gangsters into complying. Ukraine's relative poverty often makes young women desperate enough to give in to the offers of men who turn out to be pimps and pornographers. The government has used police task forces in efforts to crack down on those activities.

The government attempts to protect the rights of children, but the country's relative poverty means that many children suffer from economic deprivation. Many children are homeless, and many of these homeless children suffer from physical and sexual abuse.

Discrimination against the disabled is illegal, but the government does not do a great deal to prevent such discrimination. Few facilities are easily accessible to the disabled.

The government permits local and international human rights groups to operate in Ukraine. Some government offices are not cooperative with these groups, but generally the government tries to respond to their queries and criticisms.

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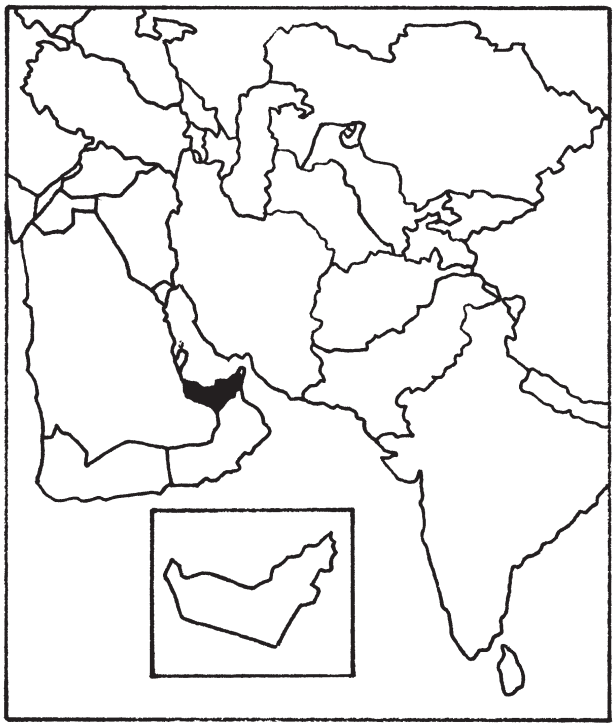
United Arab Emirates



The United Arab Emirates (UAE) is a small Middle East country located on the Persian Gulf. Its neighbors are Saudi Arabia and Oman. It has a population of approximately 2.3 million, 42 percent of whom are ethnic Arabs. The UAE has a large number of migrant workers from South Asia. The migrant workers make up half of the population but are not considered citizens by the government. Most of the population is Muslim, but many of the immigrant workforce are Christian or Hindu. The capital is Abu Dhabi. The government is a federation with power shared by a collection of emirates.

The UAE was originally seven small separate kingdoms (emirates) that joined to form a union. The emirates were dominated by Great Britain in the nineteenth and twentieth centuries, but declared their independence in 1971.

The government is not democratic. The seven emirs constitute a Federal Supreme Council, which chooses a president to head the government. The people have no say—but some slight input—in how they are governed.

The UAE has extensive oil reserves, and oil production gives the population one of the highest per capita incomes in the world.

HUMAN RIGHTS

The UAE has limited respect for human rights. The people do not have the right to choose their own government. There are no democratic institutions and people are not allowed form political parties. Political decisions are entirely in the hands of the UAE's seven emirs, although they do meet with people in traditional gatherings to hear complaints and requests.

Each emirate in the UAE has its own independent police force. The police in the UAE are believed to generally follow human rights standards. However, cases of torture or beating of suspects are believed to occur.

In accordance with Islamic law, the UAE uses lashings to punish criminals. Those convicted of adultery are sometimes given as many as 200 lashes. Those convicted of drunkenness have in some case received eighty lashes.

UAE prisons generally meet international standards. Prison beds are concrete slabs, but sick prisoners are able to stay in air conditioned parts of the prison and are allowed visits by family members.

The courts of the UAE are believed to be generally fair if sometimes harsh. Justice is divided between shari'a courts, which govern in matters that fall under religious law, and civilian courts. Neither religious nor civil courts use juries; all cases are tried by a judge alone. The emirs intervene in some cases, but this does not seem to be a common practice.

The government limits the rights of free speech and freedom of the press. Federal law stipulates that all publications should be licensed by the Ministry of Education. Criticism of the government can result in arrest and imprisonment. Some journalists are critical of the government, but this usually occurs only when some members of the government support the criticism. Sometimes government officials encourage journalists to write reports that target a government department that is not doing its job. Outside of this sanctioned criticism, journalists practice self-censorship and avoid attacking the government or its officials. Foreign newspapers are available, but sometimes have articles considered offensive to the government inked out.

Freedom of assembly is not protected. Demonstrations must receive government approval, and the government often withholds this approval. The government restricts freedom of religion. Islam is the official religion of the UAE, and other faiths have limits placed on their activities. Other religions are allowed to worship, but they are not allowed to proselytize publicly.

Discrimination against ethnic minorities is illegal but often still occurs. Abuse of foreign workers is a particular problem. Foreign workers do not have all the rights of UAE citizens. Foreign women are reportedly abused by some employers.

Women do not have equal rights in the UAE. Traditional values force women into subservient roles. Women now have more opportunities in government and business than they have had in the past, but most jobs are still dominated by men. Women do not have full property rights. Violence against women is also a serious problem. The government does sometimes prosecute such abuse, but not as much as women's rights groups believe is necessary. Prostitution is also a problem; it is believed that significant numbers of women from the Soviet Union have arrived in recent years to work as prostitutes.

The government generally protects the rights of children. The rights of the disabled are also protected. There are no local human rights groups. International human rights groups are able to conduct some activities, and UAE society is becoming more aware of human rights issues than it has been in the past.

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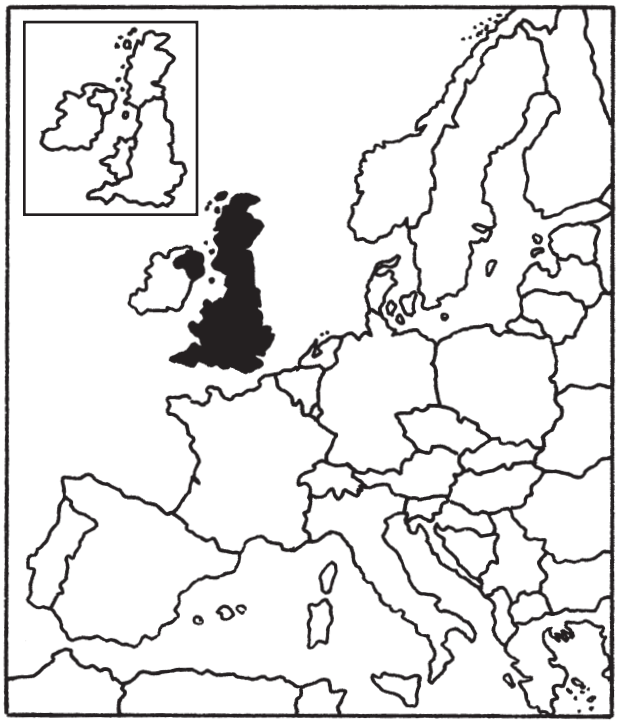
United Kingdom



The United Kingdom (UK) is an island nation between the North Sea and the Atlantic Ocean. Its nearest neighbors are France and Ireland. The UK is a collection of four entities: England, Scotland, Wales, and Northern Ireland. The first three are on the same island; the fourth sits on the northeast part of Ireland. The capital is London. The population is approximately 60 million. The English make up 81 percent of the population, Scottish 9 percent, Irish 2.5 percent, Welsh 2 percent, and West Indians, South Asians, and others make up about 3 percent. English is the language of almost the entire population. The main church is the Church of England, or the Anglican Church, but many UK citizens are also other varieties of Protestant, Catholic, Hindu, Muslim, and Sikh. The government is a constitutional monarchy headed by a prime minister.

BACKGROUND

The United Kingdom is the modern descendent of the English monarchy. English kings and queens have ruled over England since Roman times. Wales was conquered in the thirteenth century, and Scotland was joined to the English crown in the seventeenth century. Both regions adopted many English customs, including the language, but they retained their own distinctive cultural traditions.

The English conquered Ireland over the fifteenth, sixteenth, and seventeenth centuries, and large numbers of Protestant immigrants, mostly from Scotland, then settled in the north of that country. When Ireland, which had a Catholic majority, achieved its independence in 1921, Northern Ireland, with a Protestant majority, remained separate and stayed connected to the United Kingdom. Beginning in the 1960s, Northern Ireland became embroiled in sectarian conflicts between the Protestant majority and the Catholic minority. Violent riots, bombs, and assassinations were used by both sides through the late 1990s. On April 10, 1998, representatives of the Protestant Northern Irish, the Catholic Northern Irish, the government of the United Kingdom, and the government of Ireland met and signed a peace settlement that may lead to an end of the fighting in Northern Ireland.

The English government began as a strong monarchy, but gradually the great landowners of England used Parliament, England's traditional legislature, to take power away from the monarchy . By 1837, the govern-

Three masked Catholics making gasoline bombs to attack Protestant police in Northern Ireland, 1984.

ment was being run by Parliament and the monarch was only a figurehead. Parliament gradually loosened voting requirements until, just after World War I, all English, Welsh, and Scots had the right to vote.

England's strong democratic tradition made it a model for many other countries seeking to expand human rights. Long before continental Europe moved toward granting more human rights, England gave its people the right to worship freely, the right to free speech, and the right to choose their own government.

Today Parliament remains the central governmental institution. Parliament is divided between the House of Lords and the House of Commons. The party holding the majority in the House of Commons picks the prime minister. Scotland has its own regional assembly, with power over local issues, and in 1999 Wales elected an assembly with limited powers. Northern Ireland also has its own regional government, which operates under the authority of the United Kingdom.

The United Kingdom is a rich and prosperous nation. A healthy investment sector, plentiful oil reserves, and a thriving industrial base give the United Kingdom one of the highest per capita incomes in the world.

HUMAN RIGHTS

The United Kingdom protects the human rights of its citizens.

UK citizens have the right to choose their

own government. Elections for the House of Commons are open and fair and represent the will of the people. The monarch and the House of Lords are not elected, but they have little more than symbolic power.

The police are generally well trained and do not usually use torture or usually abuse prisoners. Occasional human rights abuses occur, but these are largely the result of individual malfeasance Some prisoners have died while in police custody.

One ongoing problem is the insensitivity and racism of some police officers. In one particularly famous case of the murder of a black man named Stephen Lawrence, the police were found to have failed to investigate it properly because of racism among officers. This gave credence to criticism from citizens of African or South Asian ancestry that police sometimes target them for harassment or fail to listen to their complaints. They are also stopped more often while driving their cars, simply because some policemen view racial minorities as possible criminals.

In Northern Ireland, police abuses are more common as a result of the high tensions that have been created by thirty years of conflict in that area. In the past, the police and security forces have used torture against suspected Irish Catholic militants. Currently such practices are believed to occur only rarely.

Prison overcrowding remains a problem, but for the most part prisoners are treated according to international standards. The courts are independent and trials are fair and open. Outside of Northern Ireland, the government protects the right to privacy. The government also protects the rights of free speech and freedom of the press. The United Kingdom has a lively and open press, and government leaders are frequently the target of scathingly critical attacks. Television and radio are also free from government interference.

In most cases the government protects the rights to freely assemble and to protest. In Northern Ireland, the government sometimes intervenes to protect public order. In particular, the government has intervened to stop many of the traditional Protestant marches from going through Catholic neighborhoods, something that Catholics have long requested. While some Protestants have protested these prohibitions as violations of their human rights, others accept that they are probably a necessary part of reducing Catholic-Protestant tensions in Northern Ireland.

The government protects the right to worship freely. The rights of women are generally protected, but violence against women remains a problem. Spousal abuse is illegal, and the government pays for educational campaigns that attempt to reduce its occurrence. There are also numerous shelters for battered women who wish to escape from their husbands. In the work place, women can be found at all levels but still generally receive lower wages than men.

The United Kingdom is committed to protecting the rights of children. The government also protects the rights of the disabled. Homelessness, however, remains a recurring problem.

The United Kingdom's most serious human rights problems revolve around and concern Northern Ireland. For many years, the government of the United Kingdom allowed the local Protestants in Northern Ireland to run the region as they pleased; this resulted in systematic discrimination against the sizable Catholic minority. When Catholic resentment resulted in riots and armed conflict, the UK government inter-

Homeless people living in makeshift shelters in a London park, February 1991.

vened with military troops and attempted to force peace onto Northern Ireland. The government favored the Protestant majority and used brutal tactics to fight the militant Catholic guerrillas, the Irish Republic Army (IRA). Government methods included breaking up demonstrations, spying, and torture of suspects. It is only in recent years that the government has recognized that Northern Ireland's problems were created by Catholic, Protestant, and government actions. The April 10, 1998 peace agreement laid the groundwork for a future wherein human rights in Northern Ireland will be as well protected as they are in the rest of the United Kingdom.

The government cooperates with local and international human rights groups. A number of these groups are based in the United Kingdom.

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United States

The United States (U.S.) is located in North America. It is bordered on the north by Canada and on the south by Mexico. The capital is Washington, D.C. It has a population of approximately 275 million. Of those, 71 percent call themselves white, 12 percent are African Americans, 11.5 percent are Hispanic, and 4.5 percent are Asian or Native American. Most Americans are some variety of Protestant, but a significant, and growing, minority are Catholic. There are large communities of Jews, Hindus, and Muslims. Most Americans speak English, but Spanish is also widely spoken in some areas such as New York City; Miami, Florida; Los Angeles, California; and in much of the Southwest. The government is a democratic republic headed by a president.

BACKGROUND

The United States was born from a demand for human rights. The original thirteen colonies were settled in the seventeenth and eighteenth centuries mostly by English immigrants who believed that they had certain rights, including the right to pass their own tax laws. When the English Parliament denied them these rights, they rose up in revolution. The American Declaration of Independence, drafted by Thomas Jefferson in 1776, states that "all men" have the right to "life, liberty, and the pursuit of happiness." This idea, that men have certain inalienable rights, became the foundation of the new country. The U.S. Constitution enshrined these rights in the Bill of Rights, whose articles include provisions protecting free speech, freedom of the press, and freedom from unreasonable invasions of privacy. Even though these rights were not always safeguarded by the American government, that they existed at all made America a symbol to the rest of the world of the possibility and importance of human rights.

The American system of government shares power between a president, who serves as chief executive, and Congress (made up of the Senate and the House of Representatives), which is responsible for passing legislation. America also has a judiciary, led by the Supreme Court, whose main function is to interpret the Constitution and safeguard the human rights enshrined in the Constitution and its amendments.

Americans have often put limits on human rights. When Jefferson wrote that

"all men are created equal," he did not include blacks (whether enslaved or free), women, or Indians. Part of the story of the next 200 years would be the process of gaining rights for all Americans, regardless of race or gender.

Most African Americans were kept as slaves in the southern states until the Civil War (1861–1865), when North and South fought largely over the issue of slavery. The North won, and slavery was officially ended by the passage of the Thirteenth Amendment to the Constitution in 1865. Racism, however, kept black Americans from enjoying their full civil rights. It was not until the civil rights movement, led by people like Martin Luther King, Jr. in the 1950s and 1960s, that laws were passed giving African Americans full civil rights. Even today, discrimination remains a problem.

Women acquired voting rights nationally in 1920. Even after this, women were largely excluded from the worlds of business and government. It was only in the post–World War II era that women began to enter the workforce in significant numbers. The feminist movement of the 1960s and 1970s helped to gain more recognition for women and to end some of the more blatant forms of discrimination, but it failed to achieve the passage of the Equal Rights Amendment, which if ratified would have barred all gender-based discrimination.

In the years since World War II, the United States has had a mixed record as an international advocate of human rights. It was American support that led to the passage of the United Nations Universal Declaration of Human Rights (1948), and the United States has generally supported democratic states around the world. During the cold war, however, the U.S. government often supported dictatorial regimes that also opposed the Soviet Union and communism. General Augusto Pinochet of Chile and the Shah of Iran both ruthlessly suppressed and tortured their opponents, and both were good allies of the United States (in fact, both men came to power with the help of the U.S. Central Intelligence Agency).

In the years since the fall of the Soviet Union and the end of the cold war, the United States has become a more vocal advocate of human rights. It has also been more willing to use military force, through humanitarian intervention, to protect human rights. There remain some internal conflicts over human rights issues, particularly when these rights come into conflict with economic interests. This issue arose recently when Congress debated whether the United States should give the same trading privileges to China—with its many human rights violations—as it does to other countries. The United States is also sensitive to international criticism of its own human rights problems,such as its use of the death penalty and its large prison population.

HUMAN RIGHTS

The United States generally protects the human rights of its citizens. For much of the world, in fact, the United States is a symbol of freedom and human rights. However, there remain some problem areas. Compared to the truly abhorrent human rights violations that occur elsewhere in the world, the human rights situation in the United States is very good, but many American human rights advocates argue that the United States, because it is viewed as an international model of freedom and human rights, should hold itself to a higher standard than other countries.

POLICE AND JUSTICE

The police in the United States generally respect human rights. There are, however,

individual exceptions, which some critics believe make up a pattern of abusive behavior. Police in New York City, for example, have been involved in several human rights violations. One of the more infamous was the August 1997 arrest and abuse of Haitian immigrant Abner Louima, who was tortured by police officers with a broomstick in a men's lavatory. Other incidents of torture have been reported in cities across the nation, but they do not form a pattern of abuse. In the Louima case, the guilty officer was convicted and imprisoned.

Amnesty International has suggested that there is a pattern of police abuse—particularly against minorities—in some parts of the United States. Some police departments have admitted to using "racial profiling"—choosing cars for random drug or weapon searches simply because the driver was black or Hispanic. In April 1999, the Justice Department filed a federal lawsuit against the New Jersey State Police, accusing the police of having a "pattern and practice" of discriminatory traffic stops.

The U.S. judiciary is generally fair and independent, and protects the human rights of American citizens. Occasionally, an individual judge is corrupt, but there is no overall pattern of corruption. Some human rights advocates believe that judges sometimes can be too sympathetic to police and prosecutors.

Defendants who cannot afford their own lawyers are provided one at the state's expense, but the states vary in the amount they spend and in the quality of lawyers who serve as public defenders. Some poor defendants receive mediocre legal counsel, a violation of their human rights. This is particularly disturbing in cases where the death penalty may be applied if the defendant is found guilty. In one of these cases, the defense attorney reportedly slept through part of the proceedings.

The American prison system generally meets international standards, but there are still problems. American prisons are often overcrowded, and often there are insufficient facilities to educate or rehabilitate prisoners. Most prison guards do not abuse prisoners, but cases of abuse still occur. Abuse and overcrowding sometimes has led to prison riots, in which inmates and guards have died.

The United States has an enormous prison population. As of 2000, America's prisons held more than 2 million inmates, which was the highest number in the industrialized world, both in raw numbers and as a percentage of the population. Many people are jailed as a result of America's ongoing war on drugs, which has resulted in the mandatory incarceration of thousands of convicted drug users and sellers each year.

The United States also has a disproportionately high number of African Americans in prison. African Americans make up only 12 percent of the population, but they make up 49 percent of the prison population. Part of this disparity is a result of the war on drugs. Although both whites and blacks are equally likely to use drugs—the usage rate is about 15 percent for each group—blacks make up 36 percent of those arrested for drug possession and 49 percent of those convicted of it. Some see these statistics as a sign of racism and an ongoing violation of African Americans' human rights.

The United States denies imprisoning people for political reasons, and for the most part this is clearly true, but some critics allege that there are political prisoners in the United States. Two of the more famous of these prisoners are Mumia Abu-Jamal, an African-American radical who was convicted of murder and is on death row, and

Leonard Peltier, an American Indian activist, who was also convicted of murder. In both cases, their defenders argue that the men were convicted because of their political beliefs, not because of their actions.

The use of the death penalty in America also disturbs many human rights advocates. The United States is one of the most prolific users of the death penalty. Along with China, Iran, and Saudi Arabia, it is one of the top four executioners in the world. The United States is also one of only six countries in the world that executes juvenile offenders. The others—Iran, Nigeria, Pakistan, Saudi Arabia, and Yemen—are all repressive authoritarian regimes. There are approximately 3,500 inmates on death rows in the United States. In 1999 there were ninety-eight executions, more than in any year since the reimposition of the death penalty in 1977.

IMMIGRANTS

The United States is the destination of choice for many refugees around the world, and many quickly find a safe haven here. However, those who enter the country illegally often are treated poorly. The Immigration and Naturalization Service (INS) houses, in prisons and holding camps, thousands of asylum-seeking refugees while the agency determines whether they will be granted asylum. Many of these refugees are treated poorly and have been forced to spend months in confinement.

In a connected human rights problem, the Illegal Immigration Reform and Immi-

Men arrested by border patrol after trying to cross into the United States from Mexico, January 21, 1996.

gration Responsibility Act (IIRIRA), passed in 1996, expedited the evaluation proceedings for would-be asylum seekers. While the IIRIRA had the beneficial effect of processing refugees more quickly through the INS bureaucracy, it also had the negative result of giving refugees little time to prove their need for asylum. Human rights groups, such as Human Rights Watch, believe that this accelerated processing has led to the deportation of many genuinely deserving refugees.

CIVIL LIBERTIES

The government of the United States protects the rights of free speech, freedom of the press, and freedom of assembly. The United States contains a vast number of print media outlets, television stations, and radio stations, all of which operate independently of the government. They are all free to criticize the government, and often do so.

The right to freely assemble is also protected and widely used. Demonstrations attacking government policies are a regular occurrence in the nation's capital. Some human rights groups criticized the behavior of the Seattle police during demonstrations against the World Trade Organization in December 1999. Non-violent demonstrators who were protesting, among other things, human rights abuses in the global marketplace, were attacked with pepper spray and tear gas.

DISCRIMINATION

From the days of slavery to the land wars waged against Native Americans, the U.S. government has had a long history of discrimination against ethnic minorities. Such discrimination against African Americans remained legal in many parts of the nation until passage of the Civil Rights Act of 1964. This law abolished discrimination on the basis of race in the public sector, but discrimination by individuals—in business and the private sector—remains a problem and still harms African Americans. African Americans, who on average earn less than other Americans, live in poorer neighborhoods and usually have less access to well-funded school systems. The racism of some employers, prevents many African Americans from obtaining better jobs and climbing out of poverty. The unemployment rate for black Americans is more than twice that of white Americans.

American Indians have also faced—and continue to face—discrimination. After most of their land was appropriated in the nineteenth century, they were left to languish on reservations under the not always benevolent supervision of the U.S. Bureau of Indian Affairs (BIA), which was established in 1836. Indians were forced to abandon their traditional ways of life, and many children were taken from parents to be "re-educated" into mainstream American society. On September 7, 2000, Keven Gover, head of the BIA, said, "On behalf of the Bureau of Indian Affairs, I extend this formal apology to the Indian people for the historical conduct of this agency." Some Indians appreciated Gover's gesture, but most wanted the BIA to make more substantial efforts to rectify the wrongs that had been committed against them. Limited employment opportunities, high alcoholism rates, and a sense of cultural isolation still plague American Indians living on reservations today.

Women in the United States still face discrimination. While women serve as leaders in business and government, both these areas remain dominated by men, particularly in the upper echelons. Women tend to

earn less than men for doing the same work.

Violence against women is still a problem. While the government spends money on public awareness campaigns, police still are sometimes reluctant to intervene in domestic disputes. Most cities have shelters where battered women can seek refuge.

The United States generally does an adequate job of protecting the rights of children. However, children in poor areas, particularly those in inner cities, usually do not have access to high-quality schools.

The rights of the disabled are fairly well protected in the United States. Employers are not allowed to discriminate against the disabled unless it can be proved that the disability will make it impossible for the employee to be effective. All new buildings are mandated by law to provide equal access for the disabled.

The mentally ill are not as well served as they could be. In the 1970s, American mental hospitals accelerated a process of "mainstreaming," whereby the mentally ill were forced out of hospitals and given only outpatient care. Many of these people fell through the cracks of government programs and ended up wandering the streets. They swelled the ranks of the homeless and became a living rebuke to an otherwise prosperous United States.

Not all the homeless were mentally ill, of course. Of the approximately 500,000 homeless people in the United States, only one third were mentally ill. The limited safety net provided by government agencies—including an inadequate amount of public housing—meant that it was quite possible

Homeless woman after being evicted, June 14, 1990.

for a poor family to be forced to live on the streets. In the 1980s and 1990s, "bag ladies" and "bag men," so-called because they carried most of their possessions in bags (which they sometimes pushed around in grocery shopping carts) became a regular part of the urban landscape. While some cities built shelters for the homeless, others treated them as undesirables and tried to get them to move elsewhere instead of finding shelter for them. A number of cities have passed quality-of-life laws that make sleeping and lying in public places criminal offenses. New York City is the only major American city that guarantees homeless people shelter if they ask for it, although the quality of New York's shelters is often mediocre.

Discrimination against gays, lesbians, and other people with alternative sexual orientations is a problem in the United States. Compared to most of the world, gays in America are relatively well treated. There are openly gay political figures, including members of Congress, gay media figures, and a plethora of magazines and newspapers that are marketed to the gay community. But hostility toward gays in the workplace, in schools, and in public, remains a problem. Violent attacks on gays — such as Matthew Shepard, who was beaten and left to die in Wyoming—still occur.

Prejudice against gays in government is also a problem. For example, for two years (1997–1999) the U.S. Senate refused to confirm the appointment of a gay man, James Hormel, as ambassador to Luxembourg. In 1995, a Republican leader of the House of Representatives referred to openly gay Representative Barney Frank as "Barney Fag." Most infamous is the American military's policy toward gays. Every year, hundreds of gay men and women (1,145 in 1998) are expelled from the armed services simply because of their sexual orientation. Gay soldiers report being verbally and physically harassed. In one anti-gay attack in July 1999, Private Barry Winchell was beaten to death in his bed, where he had been sleeping.

The United States allows local and international human rights groups to operate freely. The United States has not, however, signed many of the international human rights agreements that have grown out of United Nations' discussions, such as the anti–land mine treaty.

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Uruguay

The Republic of Uruguay is located in South America, bordering the South Atlantic Ocean, between Argentina and Brazil. Montevideo is the capital city. The population of approximately 3.3 million includes descendents of Europeans (88 percent), Mestizos (8 percent), and people of African descent (5 percent). Most are Roman Catholic, although less than half the adult population attends church regularly. Spanish is the official language. During the past two decades, the combination of a relatively high rate of emigration of younger people and a low birth rate has resulted in a relatively older population. Among the countries in South America, Uruguay distinguishes itself for its high literacy rate, its large urban middle class, and relatively even distribution of wealth.

BACKGROUND

A Spanish colony, Uruguay achieved independence in 1828, in the midst of ongoing conflicts between the British, Spanish, and Portuguese to control the Argentina-Brazil-Uruguay region. The remainder of the nineteenth century was characterized by political and economic instability, conflicts with neighboring countries, and large inflows of immigrants, mostly from Europe. At the beginning of the twentieth century, President José Batlle y Odóñez set the pattern for Uruguay's modern political development, initiating widespread political, economic, and social reforms.

In 1973, a civilian-military regime was established in an effort to control increasing economic and political turmoil. In 1984, national elections were held to bring about a return to civilian rule, and Julio Maria Sanguinetti, leader of the Colorado Party, won the presidency. The Sanguinetti administration consolidated the country's progress toward democratization and stabilized the economy through a series of reforms, including the attraction of foreign trade and capital.

Uruguay is a constitutional republic with a strong presidency and a bicameral legislature. Twelve cabinet ministers, appointed by the president, head executive departments. The judiciary is independent.

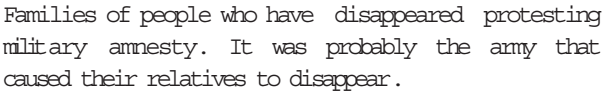
Uruguay's economy is a mixture of private and state enterprises and is based primarily on agriculture, which comprises more than 50 percent of the exports. The industrial sector is largely dependent on

the processing of agricultural products. The leading exports are meat, leather, and rice. Economic performance remains sensitive to conditions in Argentina and Brazil, because more than half of Uruguay's trade is conducted with its partners in South America. Annual per capita income was about $8,600 in 1998.

HUMAN RIGHTS

The government generally respects the human rights of its citizens, and the judiciary effectively addresses cases of individual abuse. The government supports democracy, political pluralism, and individual and civil liberties, including freedoms of speech, association, assembly, religion, and movement. However, problems persist in a few areas.

The government has disregarded calls for investigation into "disappearances" that occurred during the period of military rule. The American Convention on Human Rights has repeatedly recommended that the government address those disappearances and compensate the families of the victims. In 1998 a trial judge ordered the government to pay $1.4 million to the families of torture victims.



Families of people who have disappeared protesting military amnesty. It was probably the army that caused their relatives to disappear.

The constitution prohibits torture or other brutal treatment of prisoners; nonetheless, police reportedly infringe on prisoners' rights, taking actions that result in unnecessary deaths of prisoners while in custody. In recent years, the authorities have increasingly prosecuted the perpetrators of such abuses. In some cases only disciplinary action has taken place.

Prison conditions remain poor, with inadequate sanitation and health care being the main problems. Human rights monitors are allowed to make prison visits, although all requests need to be approved by the Ministry of Interior, which results in inevitable delays.

The judicial process is not timely in handing down sentences. Consequently, pretrial detentions are a serious problem, with approximately 68 percent of all persons incarcerated still awaiting trial. Sometimes, the length of time prisoners spend in pretrial detention exceeds the maximum sentence allowed for their crime.

Another area of human rights abuse is discrimination against women and the black minority. In particular, women continue to face societal discrimination in employment and salary. They remain

underrepresented in government and traditionally male-dominated professions. In addition, violence against women is widespread.

Blacks are not widely represented in the political and academic sectors of the society.

The government is committed to children's welfare and, with the help of the United Nations Children's Fund (UNICEF), has implemented a series of programs to secure proper health care and education for poor children. Some children continue to be exploited as street vendors in the informal sector, which tends not to be regulated.

The government generally cooperates with the United Nations High Commissioner for Refugees in assisting refugee and asylum seekers. It grants refugee status in accordance with the 1951 United Nations Convention Relating to the Status of Refugees and its 1961 Protocol. It grants asylum only for political crimes.

Several local and international human rights organizations operate in the country without restriction, investigating and publishing their findings on human rights abuses. The authorities are generally supportive of their views.

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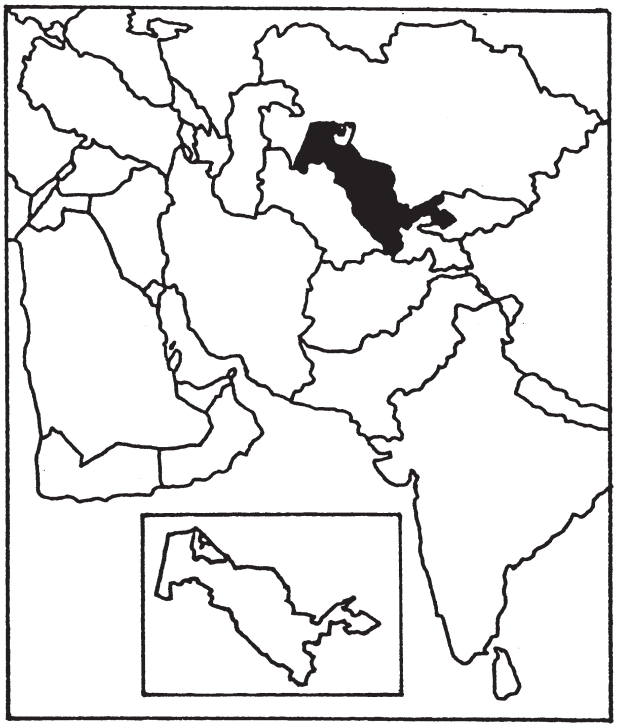
Uzbekistan



Uzbekistan is located in central Asia and is surrounded by Kazakhstan, Kyrgyzstan, Afghanistan, and Turkmenistan. It has a population of approximately 24 million. Uzbeks make up 80 percent of the population, Russians 6 percent, and Tajiks 5 percent. Most people speak Uzbek, but some use Russian as their first language. The capital is Tashkent. The government is a republic headed by a president.

Uzbekistan, like the rest of the region, was conquered by the Russian Empire in the nineteenth century. The Russian Revolution led to the creation of the Uzbek Soviet Socialist Republic, an entity that remained under the firm control of the Soviet Union's Communist Party based in Moscow.

Uzbekistan declared its independence from the Soviet Union in August 1991. This declaration became a legal reality with the collapse of the Soviet Union in December 1991. Despite the end of the communist era, Uzbekistan's new government remained dominated by former communists.

The country is fairly poor, and Uzbeks have a per capita income of $2,500. Among its export products are cotton, gas, coal, and oil.

HUMAN RIGHTS

The Uzbek government does not do a good job of protecting its citizens' human rights.

Uzbeks do not have the right to change their government. President Karimov was elected in 1991 in a rigged election. He has remained in power by using the police and army to repress all dissent. He has maintained the old repressive system of the former Soviet Union. Opposition parties are illegal; hence, there is no real democracy in Uzbekistan.

The judiciary is not independent. Judges are influenced by the president and his ministers. In political cases, judges almost always decide in favor of the government.

The police are guilty of numerous human rights abuses. Police and security forces torture prisoners. Some prisoners die while in police custody, often as a result of torture. Innocent people are often arrested by the police, sometimes because the government does not approve of their political opinions. The police use wiretaps to listen to people's phone conversations. Human

rights advocates are often targets of police harassment.

Prison conditions are very poor, with overcrowding and a lack of food being major problems. Disease among prisoners is common, and very little medical care is provided. Uzbekistan also puts some prisoners into labor camps.

The government does not protect the right to assemble freely, and unauthorized demonstrations are prohibited. Those who protest publicly are likely to face police brutality and imprisonment.

The government does not protect freedom of speech. Newspapers in Uzbekistan are under state control, and journalists do not publish articles critical of the government.

The government does not protect freedom of religion. Islamic leaders are often harassed by the police. The government has expelled female university students who choose to wear traditional Islamic dress, which is not encouraged by the state.

Women still face discrimination in Uzbekistan: they do not have equal opportunities to advance, either in government or in the private sector. Violence against women is an ongoing problem in Uzbekistan.

Ethnic minorities, particularly ethnic Russians, also face discrimination in employment and in access to education.

The government does not allow local or international human rights groups to operate.

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Venezuela

The Federal Republic of Venezuela is situated in South America, on the Caribbean Sea and the Atlantic Ocean bounded on the east by Guyana, on the south by Brazil, and on the west by Colombia. Caracas is the capital city. Venezuela has a population of about 23 million. Ethnic groups include Spanish, Italian, Portuguese, Arab, German, African, and indigenous Indians. Spanish is the official language, although indigenous minorities speak several local languages. Most Venezuelans (96 percent) belong to the Roman Catholic Church.

BACKGROUND

A Spanish colony, Venezuela achieved independence in 1811 under the leadership of Simon Bolivar, who formed a federation with Colombia and Ecuador called Greater Colombia. In 1830, Venezuela became an independent republic; however, the following years were marked by a series of conflicts, dictatorships, and widespread corruption. From 1908 to 1935, Venezuela was under the dictatorship of General Juan Vicente Gomez. After his death, a military junta ruled the country until 1946, when the party of Romulo Betancourt won the majority of seats in a constituent assembly and drafted a new constitution. In 1948, the army overthrew the new democratic government and the dictatorship of Marcos Perez Jimenez was established. However, in 1958 the country returned to a civilian rule, and since then Venezuela has enjoyed a series of democratically elected governments.

Venezuela has had long-standing border disputes with Colombia and Guyana but seeks to resolve them peacefully.

Venezuela is a multiparty parliamentary democracy. The president, Hugo Chavez Frias, is the chief of state and of the government, and was elected by popular universal suffrage in December 1998. The president appoints the Council of Ministers. The legislative power is represented by the bicameral Parliament. The constitution provides for an independent judiciary; however, in practice, it is subject to the influence of the executive and others.

The economy of Venezuela is heavily based on petroleum. The reduction of oil prices produced a severe recession in 1998. Although the government has promoted many reforms to keep the recession under control, the economy continues to be heavily depressed. Per capita gross do-

mestic product was less than $4,000 in 1998. However, income is unevenly distributed, and about more than 70 percent of the population live at or below the poverty line.

HUMAN RIGHTS

The human rights record in Venezuela is poor in several areas.

The security forces continue to commit extrajudicial killings, primarily of criminal suspects. In addition, torture, mistreatment, and physical abuse of detainees are common, often resulting in deaths in police custody. The government rarely convicts the perpetrators of such abuses. In the small numbers of prosecutions involving public officials, the sentences issued have been light or the convictions have been overturned on appeal. Police and security forces are also responsible for arbitrary arrest and detention, illegal searches, and widespread corruption. In the Colombian border area, where constitutional provisions have been suspended due to guerrilla activity, drug trafficking, and kidnapping, the national guard and army act with near impunity.

The inefficiency of the judicial and law enforcement system has resulted in a huge backlog of cases and lengthy pretrial detentions averaging two and a half years. Judges are generally underpaid, poorly trained, and subject to influence. Vigilante justice has become a serious problem. Incidents of mob lynching are often reported.

Prison conditions are very poor, and even life-threatening. Problems include excessive use of force by poorly trained prison guards, extreme overcrowding, inadequate nutrition, minimal sanitation, and poor medical care. Prisoners often need to pay the guards to obtain the basic necessities, such as space in a cell, a bed, and food. Guns, knives, and drugs easily circulate among prisoners. Every year, hundreds of prisoners die from violence in the prisons.

The government generally respects freedoms of speech and the press. However, charges of libel have been occasionally used against the media in order to limit and discourage the coverage of sensitive issues.

Freedoms of association and assembly are also respected. Nonetheless, many demonstrations, mostly organized by students and teachers, end up being monitored by security forces and occasionally result in violent confrontations between demonstrators and the police.

Although the constitution prohibits discrimination based on gender, race, religion, disability, and social status, in practice the government does not ensure the respect of these provisions. Women theoretically enjoy equal rights and are allowed to have full participation in political and economic life. Nevertheless, they remain underrepresented in the higher ranks of governmental positions, in labor unions, and in private industry. Moreover, they continue to face substantial institutional and societal prejudice with regard to rape and domestic violence. The authorities are generally unwilling to intervene in cases of domestic violence, and the courts rarely convict those responsible for such abuses.

The increase in poverty has also affected children's welfare by raising the level of stress on families, leading to an increased number of abandoned children. Consequently, child abuse is on the rise. Malnutrition is also a serious problem and cause of death among children. An estimated 1.2 million children work in the informal sector, mostly as street vendors, and the number of work hours generally exceed the total permitted by law.

People with disabilities face discrimination in education, employment, and health care. The physically disabled have minimal access to public buildings and transportation.

The government has great difficulty in protecting the human rights of the country's indigenous peoples. Because of their isolation from modern civilization, many indigenous people lack access to basic health and educational facilities. The local authorities usually disregard the interests of indigenous people when making decisions about their land, cultures, traditions, and the allocation of natural resources. Indigenous people are constantly threatened by deforestation, water pollution, and deadly diseases introduced by farmers and miners. For example, the Yanomani, one of the most isolated indigenous groups, have been subjected to several incursions by illegal gold miners into their territory. In 1999 President Frias appointed an indigenous rights activist and member of the Wayuu indigenous group to be environment minister. She is the first indigenous person to occupy a ministry-level position.

The government restricts the freedom to travel in some border areas; it also restricts foreign travel for persons suspected of criminal activities.

The government generally grants refugee and asylum status and cooperates with the United Nations High Commissioner for Refugees in assisting refugees.

Several local and international human rights organizations operate in the country without governmental restriction. However, the government is not always responsive to their views. One human rights group reported receiving death threats while investigating human rights abuses committed by the police. The Venezuela Program of Action and Education in Human Rights (PROVEA) is one the most highly respected non-governmental human rights organizations in South America.

In 1996 the government accepted responsibility for extrajudicial killings by security forces, and in 1997 the government compensated families of the victims. Under pressure from the Inter-American Court of Human Rights, the Supreme Court of Venezuela undertook the preliminary investigation for related cases in 1999, an unprecedented event.

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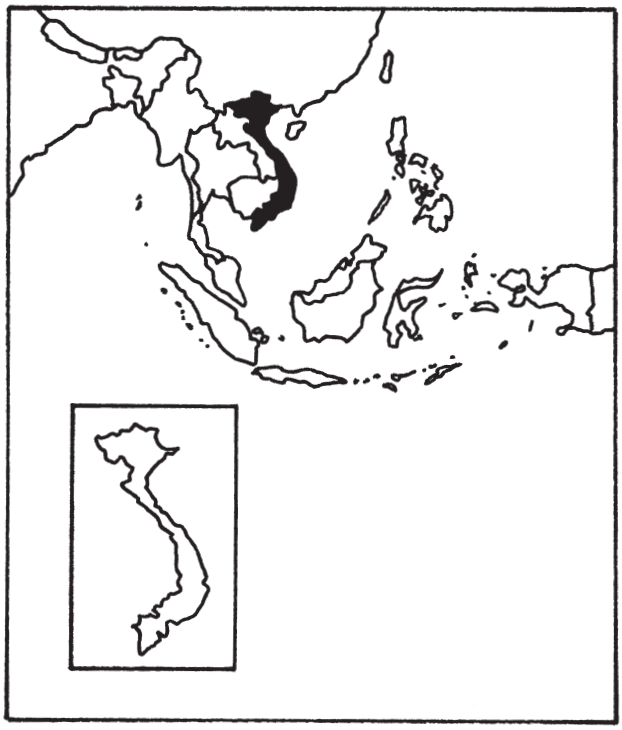
Vietnam



Vietnam is located in Southeast Asia. Its neighbors are Cambodia, Laos, and China. Its capital is Hanoi. Vietnam has a population of approximately 80 million. Vietnamese make up 90 percent of the population; the rest include ethnic Chinese, Muong, Tai, Meo, and Khmer. Vietnamese is the official language. Most Vietnamese who practice a religion are Buddhists, but there also is a significant Catholic minority in the southern part of the country. Vietnam is a one-party state run by the Communist Party.

BACKGROUND

Vietnam has a recorded history stretching back thousands of years. For most of this period it was dominated by China, its large neighbor to the north. In the tenth century, however, Vietnam was able to free itself from Chinese overlords.

In the nineteenth century, Vietnam was conquered by French armies and turned into a colonial outpost of the French Empire. During World War II, Vietnam was occupied by the Japanese. Local Vietnamese nationalists fought against the Japanese (unlike the French government officials, who cooperated with their conquerors).

When the Japanese surrendered in 1945, the Vietnamese hoped to gain their independence. The French, however, wished to have their colony back and spent the next nine years fighting to keep control of Vietnam. Dedicated Vietnamese guerrillas (members of the Vietnamese Communist Party [VCP]) were successful at fighting the French Army to a standstill, inflicting great damage on it, particularly in the north. In a 1954 peace conference, France agreed to give North Vietnam its independence. South Vietnam was not included in this peace agreement and remained allied with the West.

From 1954 to 1975, North Vietnam fought to defeat the government of South Vietnam and bring all of Vietnam under the same government. South Vietnam's government received help from the United States, eventually including more than half a million troops. The armies of the United States and South Vietnam, however, were unable to defeat the communist guerrillas. Discouraged, the United States withdrew its troops in 1972. In 1975, North Vietnam invaded and conquered South Vietnam.

The newly united state faced hostility from both the United States and China.

Though both China and Vietnam are communist states, they have had a long tradition of mutual hostility and suspicion. Tensions between the two countries led to border skirmishes in 1979.

Vietnam today is handicapped by its widespread poverty and slow transition from a centrally planned to a free-market economy. Nevertheless, Vietnam shows some signs of slowly improving the economic well-being of its citizens. It shows only small signs, however, of allowing more political freedom.

HUMAN RIGHTS

Vietnam does not protect all the human rights of its citizens.

The Vietnamese people do not have the right to choose their own government. The country is a one-party state and is under the complete control of the VCP. The Vietnamese National Assembly has no real power, and most of its members, although elected, are approved first by the VCP. In recent years, the National Assembly has been allowed a minor role as a forum for criticizing government corruption and inefficiency. The VCP, however, retains ultimate authority.

The police arbitrarily arrest and detain Vietnamese citizens. The police use brutality against prisoners. Suspects are often beaten by arresting officers. Citizens are arrested for arbitrary reasons; many are arrested simply for disagreeing with the government. Some persons are put under "administrative detention," which requires that they stay within a certain area and remain under government surveillance. It is not necessary to be convicted of a crime to be put under administrative detention.

Homeless beggar at tourist resort in Dalat, Vietnam, June 1993.

Vietnamese refugees held in a Hong Kong detention area. Many people fled Vietnam seeking better lives or trying to escape political persecution, October 1991.

The courts in Vietnam do not provide defendants with fair trials. Judges are loyal to the Communist Party rather than to any abstract idea of justice. Party leaders inform judges of the "correct" decision to be made in important criminal trials. Trials are generally open to the public, but some sensitive cases are settled behind closed doors.

Prisons in Vietnam do not meet international standards. Prisons are crowded and both food and medical supplies are limited. However, although harsh, prison conditions in Vietnam are not usually life-threatening. Vietnam has a large number of political prisoners whose only crime is disagreeing with the government.

The right to privacy does not exist in Vietnam. Although the right to privacy is written into the Vietnamese constitution, in practice the government keeps a close watch on its citizens. Most rows of houses have their own block wardens who spy on their neighbors and keep the government informed about their behavior and opinions. The government also opens the mail of people suspected of holding subversive beliefs.

The government does not protect the right to free speech or the right to a free press. All newspapers, television stations, and radio stations are under the control of the government. Reporters are not allowed to criticize the VCP. Reporters are only allowed to criticize those areas of the government that the leadership of the party believes are in need of reform. Party members who are critical of the party are usually expelled.

Blind boys making a mat. Their father was a victim of Agent Orange a chemical dropped on Vietnam by U.S. planes during the Vietnam War. The boys were born blind.

The government does not protect freedom of association or freedom of assembly. Only small protests concerning local issues are allowed. Large groups or protests having a political agenda are forbidden.

In theory, the constitution protects freedom of religion, but in practice the government restricts religious activity and harasses some believers and religious leaders. The government requires all religious groups to register with the government. Anyone belonging to an unregistered church is considered to be acting illegally. The government often arrests religious activists.

Women face discrimination in Vietnam. Pay for women is less than that of men for the same work, and women do not have the same opportunities as men to serve in well-paying, high-ranking jobs. Violence against women, particularly domestic violence, is a serious problem. Many women avoid reporting domestic violence because of traditional societal pressure. Forced prostitution of poor rural women is also a problem. These women are enticed into coming to cities with promises of high-paying jobs, then are trapped into prostituting themselves.

The government makes some effort to protect the rights of children, but Vietnam's poverty leads many children to be victimized. Child prostitution, mostly of young girls, is a serious problem.

The government provides limited protection of the rights of the disabled. However, there is no law requiring that all buildings be accessible to the disabled.

The government does not allow local human rights groups to form. It allows only limited visits by international human rights groups.

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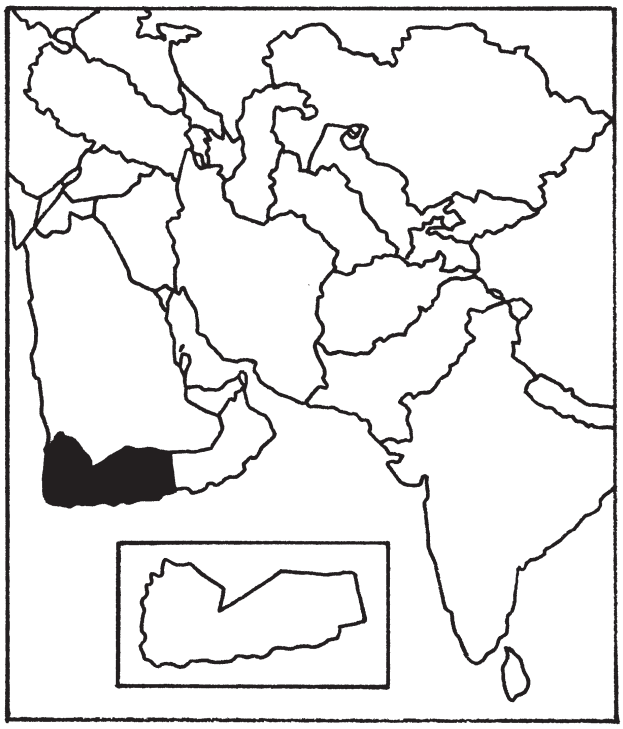
Yemen



Yemen is a Middle East country located on the Arabian Peninsula. Its neighbors are Saudi Arabia and Oman. The capital is Sanaa. Yemen has a population of approximately 17 million. Most Yemenis are ethnic Arabs, but the population also includes some Afro-Arabs and South Asian immigrant workers. Arabic is the official language, and Islam is the religion of most of the population. The government is a republic headed by a prime minister.

Yemen has been under the control of foreigners for most of the past 500 years. Until 1918, when it declared its independence, North Yemen was governed by the Ottoman Empire. South Yemen was part of the British colony of Aden. When South Yemen became independent in 1967, it became a communist state. The two Yemens maintained an attitude of low-level hostility that occasionally broke out into open violence.

In the 1980s, the two Yemens began to move toward merging their two governments. In 1990 they were united. A subsequent civil war stalled unification, but the victory of northern troops in 1994 solidified the existence of the newly unified Republic of Yemen.

HUMAN RIGHTS

Yemen has a poor human rights record.

The people's ability to change their government is limited. President Ali Abdullah Saleh's political party, the General People's Congress (GPC), dominates Parliament and the government. Other parties have found it difficult to gain support. Parliamentary elections are generally considered fair, but the government's influence over the media and military gave it a strong advantage during election campaigns.

The police and security forces have committed many extrajudicial killings. Prisoners in custody have been tortured. Some of those tortured have died while in custody. Occasionally police officers guilty of torture are caught and punished. The torture of suspects to gain confessions is tacitly accepted. However, in 1999 a court convicted three security force members of torture and sentenced them to prison.

The judiciary is neither fair nor independent. Trials are subject to influence by the president as well as by bribes from defendants. Many judges have insufficient legal training to do their jobs effectively. All

cases, criminal, civil, and military, are tried according to Islamic law.

Conditions in prisons do not meet international standards. Overcrowding, poor food, and a lack of health care create a life-threatening environment for prisoners. Some prison officials extort money from prisoners in return for privileges.

Some human rights abuses are associated with the Yemen government's ongoing war against the southern guerrillas of the Aden-Abyan Islamic Army (AAIA). The AAIA itself also has been guilty of human rights abuses, including bombings and assassinations. In fighting the AAIA, however, the army claims that the government has used arbitrary arrests, torture of suspects, and unfair trials.

The government does not protect the right to privacy. Police are said to search homes, listen to telephone conversations, and read the mail of citizens they suspect of being involved in criminal activity.

The government does not protect the right to speak freely or freedom of the press. While there are many independent newspapers in Yemen, the government uses economic pressure and the threat of arrests to keep journalists from reporting news hostile to the government. Under this pressure journalists practice self-censorship.

The government does not protect the right of all to worship freely. Islam is the official state religion, and other religions are subject to state supervision and occasional harassment. Non-Muslims are not allowed to proselytize their faith.

Women face significant discrimination in Yemeni society. Although tradition puts women in the role of mothers and wives, some women serve in business or government. The government has instituted programs to improve this, though traditionally there are obstacles against it. Spousal violence against women is believed to be common. Men are allowed to have four wives, yet women may have only one husband. Women are legally obliged to obey their husbands. Men can divorce their wives without giving any reason, while women must go through difficult court proceedings in order to gain a divorce. An estimated 76.7 percent of women are illiterate—twice the proportion of men. Despite these restrictions, the government has made some real efforts to increase the presence and importance of women in government. Women in the former South Yemen tend to have more opportunities and higher-paying jobs than their northern counterparts.

The government tries to protect children's rights but is hampered by a lack of funds. Genital mutilation of young girls is common in some parts of Yemen.

The government allows some human rights groups to operate in Yemen and has cooperated with human rights investigations by international human rights groups.

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Yugoslavia (Serbia/Montenegro)

Yugoslavia is located in the Balkans in southeastern Europe. Its neighbors are Croatia, Bosnia and Herzegovina, Macedonia, Albania, Romania, Hungary, and Bulgaria. Its capital is Belgrade. Yugoslavia has a population of approximately 11 million, divided between ethnic Serbs (65 percent), Albanians (17 percent), Montenegrins (6 percent), Hungarians (4 percent), Roma (1 percent), and others. Serbo-Croatian is the official state language. About two-thirds of the people are Serbian Orthodox Christians, 20 percent of the people are Muslims, and 6 percent are Catholic. Yugoslavia is a federal republic headed by a president. In 1990, the Federal Republic of Yugoslavia included six states: Serbia, Montenegro, Bosnia and Herzegovina, Croatia, Slovenia, and Macedonia. After the breakup of Yugoslavia, the only remaining states were Serbia and Montenegro.

BACKGROUND

The Slavic peoples of southeastern Europe had been divided for many centuries between the Ottoman Empire and the Austrian Empire. In the nineteenth century, they began to successfully fight for their freedom and independence. The Serbians were one of the first of the South Slavic peoples to gain their independence (1878). After the collapse of the Austrian Empire during World War I, Serbia absorbed the other South Slavic peoples (Croats, Bosnians, and Slovenes) into a state that was eventually called Yugoslavia (1919). From the beginning, there was some tension in Yugoslavia between the Serbs and the other Slavic (and non-Slavic) peoples who lived in the country and resented Serb dominance.

During World War II, Yugoslavia was invaded and conquered by Germany. After this invasion, the Communist Party leader Josip Broz, known as Tito, led a resistance movement that eventually succeeded in freeing Yugoslavia. After the war was over, Tito turned Yugoslavia into a communist state with close ties to the Soviet Union.

Tito ruled the country for thirty-five years. He worked to eliminate ethnic differences and crushed dissent among Yugoslavs who tried to give their loyalty to their own ethnic group instead of to Yugoslavia as a whole.

When Tito died in 1980, the country began to fall apart. Croats, Serbs, and Albanians each began to assert their own ethnic identities. Under the leadership of President Slobodan Milosevic, an ethnic

Serb, the Serbs tried to reclaim their role as leaders of Yugoslavia. In reaction, the other states decided to declare their independence from Yugoslavia. Croatia and Slovenia declared independence in June 1991, Macedonia in September 1991, and Bosnia and Herzegovina in October 1991. These declarations led to four years of war, as ethnic Serb minorities in the newly independent states, supported by Serbia itself, fought to carve out their own ethnic Serb enclaves. Bosnia was particularly hard hit by these years of warfare, which only ended in 1995 with the Dayton Peace Accords (signed in Dayton, Ohio). Most foreign journalists and many foreign leaders blamed Milosevic for encouraging and prolonging the fighting and bloodshed. When the dust settled, all that was left of Yugoslavia was Serbia and tiny Montenegro.

In 1999, the world faced another Yugoslavian crisis in Kosovo. The region of Kosovo was a part of Serbia that contained a majority of ethnic Albanians. Ever since Milosevic came to power, he had used the Yugoslavian army and police to keep the Kosovar Albanians from having any political power in their own province. A guerrilla resistance by the ethnic Albanians led to Serb murders and reprisals, and the consequent fear that Milosevic was planning to "ethnically cleanse" all the Albanians out of the country. To prevent this, the Western powers, led by the United States, opened up a bombing campaign against Yugoslavia (from March to June 1999) that forced Milosevic to withdraw his troops from Kosovo and accept the presence of NATO peacekeeping forces.

As a result of years of warfare and economic embargo, Yugoslavia is a much poorer region than it was when Tito died in 1980. Shortages are common, and many Yugoslavs suffer as a result (while others, especially

War damage in the Croatian city of Petringa, September 1991.

Kosovar refugees fleeing from Serbian troops gathered at the Macedonian border, April 1999.

those with government connections, get rich by selling goods on the black market).

HUMAN RIGHTS

Yugoslavia has an abysmal human rights record. To begin with, most observers blame Yugoslavia, and particularly President Milosevic, for encouraging the violence that led to the deaths of at least 200,000 Bosnians and the forced evacuation of millions of others. The Bosnian and Croatian wars were the worst human rights disasters to affect Europe since World War II. President Milosevic is also blamed for fanning the flames of the Kosovo crisis, which led to the deaths of thousands of Albanian Kosovars and the temporary flight of more than 1 million Kosovars.

Until recently, it did not seem that Yugoslavs had the freedom to choose their form of government. The elections that occurred in 1997, for example, were deeply flawed. Neutral observers claimed that Milosevic's government used vote fraud to maintain its grip on power.

On September 24, 2000, however, new presidential elections were held. Despite the use of fraud by Milosevic, his opponent, Vojislav Kostunica, won a majority of votes. Milosevic attempted to deny the election results, but opposition parties organized mass rallies that became, in effect, a post-election revolution. Under this pressure, Milosevic stepped down as president and Kostunica took his place. Kostunica's victory marks the end to Milosevic's thirteen years of abusing power. With Milosevic and his allies no longer the rulers of Yugoslavia, a new beginning for human rights in Yugoslavia seems possible. The human rights abuses listed in this article are those for which Milosovic and his government were responsible.

The police, who were firmly under President Milosevic's control, have been re-

sponsible for numerous human rights abuses. While Kosovo was under Yugoslavian control, many Albanians died in confrontations with police. Before and during the 1999 NATO bombing campaign, many Albanians were rounded up and executed for no other purpose than to terrorize the Albanian populace into fleeing. After NATO troops occupied the province, they found a number of mass graves filled with victims of Yugoslavian state-sponsored murders.

The police and the government-supported paramilitary units that work with them are also believed to be responsible for a number of political murders in Serbia. In an October 1999 incident, an assassination attempt was made on opposition leader Vuk Draskovic, and many believe that the police were behind it.

The police have used force to break up protests that were opposed to Milosevic. Water cannons, clubs, and sometimes gunfire were used to disperse crowds. The police also used arbitrary arrests to harass opponents of the regime. In this practice, opponents were arrested on false charges and jailed for extended periods of time.

Although the courts were supposed to be independent, in practice they have complied with pressure from the government. Judges rarely went against the will of the president. Corruption has also been common in the judiciary.

The government has not protected the right to privacy. The police have conducted searches of residences without warrants. The police have also used wiretaps to hear telephone conversations and have opened the mail of suspicious persons.

The government has only provided limited protection of the rights to free speech and a free press. A number of independent newspapers operate in Yugoslavia, but government security forces have used harassment, false arrests, beatings, and financial penalties to pressure and restrict the activities of newspapers and reporters who were unfriendly to the government. Opposition groups controlled some television and radio stations, but the Milosovic government controlled the most important and widely heard stations. These stations reported only those stories that were favorable to the government.

Discrimination against women is still a problem in Yugoslavia. Although some women serve in important political or business positions, most of these jobs are occupied by men.

Violence against women, particularly spousal abuse, also is a serious problem. The various Yugoslavian wars also led to mass violence directed at women, particularly mass rapes directed at Bosnian Muslim women.

Religious and ethnic minorities have faced serious discrimination in Yugoslavia. Even though Yugoslavia no longer controls Kosovo, there are still a number of Muslims and Albanians who live in Serbia. The region of Vojvodina also contains a large minority of Hungarians. All three groups suffer from government and societal discrimination and harassment.

The Milosevic government restricted the activities of local and international human rights groups. In addition human rights monitors were regularly harassed by the police.

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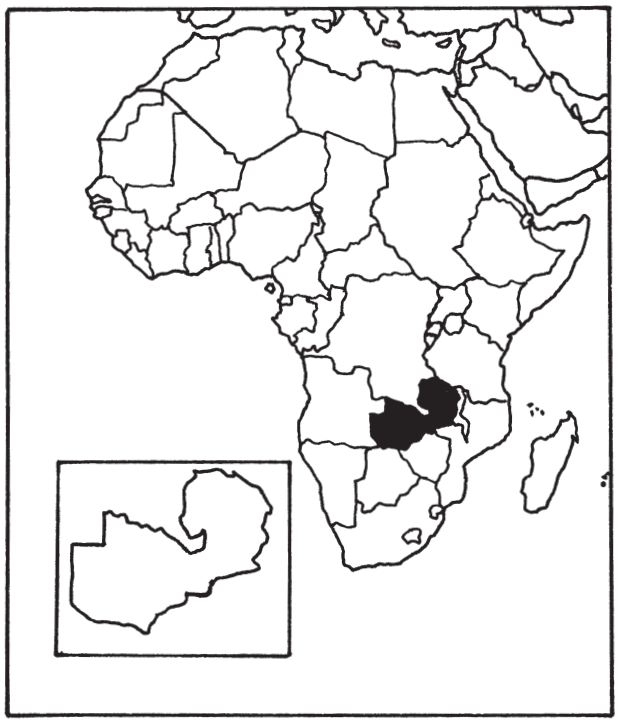
Zambia



Zambia is located in southern Africa. Its neighbors are Angola, the Democratic Republic of Congo, Tanzania, Malawi, Mozambique, Namibia, and Zimbabwe. The capital is Lusaka. Zambia has a population of approximately 10 million. English is the official language, but Bantu dialects are also spoken. The most important religions are Christianity, Islam, and Hinduism. The government is a republic headed by a president.

Zambia was conquered by the British Empire in the nineteenth century. It remained under British control until it was granted independence in October 1964. Independent Zambia suffered from a weak economy and friction with white-controlled Rhodesia (later renamed Zimbabwe) and South Africa. The one-party socialist government had little success in solving Zambia's endemic poverty.

After food riots erupted in 1990, the government allowed Zambia to make a transition into a multiparty democracy. This move has not been entirely successful. The president still monopolizes power in Zambia. The country remains poor, and an estimated 500,000 Zambians have the HIV virus.

HUMAN RIGHTS

Zambia's human rights record is weak. The people's right to choose their own government is hampered by election irregularities and Zambia's lack of a democratic tradition. The Movement for Multi-Party Democracy (MMD) has dominated the political scene since its first electoral victory in 1991. There are claims that President Frederick J. T. Chiluba and the MMD have used the government's state-owned media to influence popular opinion and guarantee themselves victory. However, most elections have been relatively free of direct vote tampering or rigging.

The police in Zambia often commit human rights abuses. Police use excessive force when making arrests, and this sometimes results in the deaths of suspects. There are reports that police often beat suspects as a means of gaining confessions. Sometimes this beating is severe enough to qualify as torture. Some police stations operate as "debt collection centers," arresting alleged debtors and holding them until they pay their creditors. The police take a commission from the amount of these transactions.

The courts in Zambia are hampered by corruption, lack of funds, and inefficiency, but they are generally independent and sometimes criticize the actions of the government.

Most judges try to give defendants a fair trial, but the long waits that are normal in Zambia's legal system are an inherent denial of the accused's right to a speedy trial. The wait for a trial has been as long as four years.

Prison conditions are poor in Zambia. Overcrowding, poor sanitation facilities, minimal medical supplies, and insufficient food leads to the spread of diseases in the prisons. A number of prisoners die each year as a result of this situation. One reason for this overcrowding is the large backlog of prisoners who are waiting for court dates. The Zambian Judges Association has pledged itself to clearing out as much of the caseload as possible in order to free up prison space.

The government does a mediocre job of protecting the rights to free speech and to a free press. While there are numerous newspapers in Zambia that freely criticize the actions of government officials, the government has often used its powers—arrests, police harassment, libel suits—to put pressure on journalists who publish hostile articles. Academic freedom is generally respected.

The government provides limited protection of the right to peacefully assemble. Public protests are legal but require that the police be notified at least seven days in advance. The police sometimes use force to disperse meetings that are not government sanctioned.

The government protects the right to worship freely.

Women's rights are not fully protected in Zambia. Traditional culture in Zambia places women below men in status, and despite some laws protecting women's rights, cultural attitudes maintain this subordinate place for women. Women do not have equal access to business or government jobs, and they do not receive equal pay for equal work. Local courts often do not protect women's property rights—for example, widows can often lose their dead husband's property to their in-laws. Spousal abuse of women is widespread, and the police do little to stop with it.

The government tries to protect the rights of children, but it lacks the resources to do so effectively. Education is not free.

The government does little to protect the rights of the disabled.

Local and international human rights groups are allowed to operate with little interference, although occasionally local police harass individual human rights monitors.

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Zimbabwe

Zimbabwe is located in southern Africa, and is bordered by Zambia, Botswana, South Africa, and Mozambique. It has a population of approximately 12 million. The capital is Harare. About 71 percent of the population are from the Shona ethnic group, and 16 percent from the Ndebele; the population also contains a small number of whites, descendents of the European colonists who used to control Zimbabwe. A majority of the population follows some variety of Christianity. English is used for most official business. The government is a republic headed by a president.

Zimbabwe was settled by Bantu-speaking peoples in the early sixth century. In the 1830s, European traders began to operate in the region. Led by the British imperialist Cecil Rhodes, the British took over the area—renamed Rhodesia—in the 1890s. English settlers moved into Rhodesia and established themselves as farmers and miners. The African majority were given no political rights and did not share equally in economic benefits.

When Britain put pressure on Rhodesia to give its black citizens more rights, the right-wing government responded, in 1965, by declaring Rhodesia to be completely independent. Black resistance groups responded by carrying on a guerrilla war against the white-controlled government. Under pressure from both the guerrillas and international economic sanctions, the whites in Rhodesia were forced to allow free and open elections in 1980. The country was renamed Zimbabwe at that time.

Resistance leader Robert Mugabe was victorious in the 1980 elections and became Zimbabwe's first president. Mugabe, with the support of Zimbabwe African National Union-Patriotic Front (ZANU-PF) has ruled as president ever since. Although in recent years Mugabe has allowed some political opposition, ZANU-PF's strong-arm methods have made it difficult for other parties to operate. Mugabe's authoritarian style has inspired intermittent opposition. There is also ongoing tension between white farmers—who own some of the best land in the country—and the poor black majority, many of whom have very little land. In recent years the government has been forcibly transferring land from white farmers to black farmers.

HUMAN RIGHTS

Zimbabwe does not protect all the human rights of its people.

Most importantly, the government limits the ability of the people to choose their own government. President Mugabe's political party, ZANU-PF, dominates all elections. With the media either controlled or intimidated by the government, it is difficult for opposition parties to gain followers. Police sometimes harass opposition leaders. The ZANU-PF is victorious in every election.

The police often arrest people with little or no reason. The police are known to use excessive force. Torture is also believed to occur. The police, for example, are believed to have arrested and tortured an editor and reporter to punish them for articles the police did not agree with. Use of excessive force and torture has resulted in deaths of prisoners in police custody. The government has done little to prevent such abuses.

Zimbabwe's courts are largely independent. Judges sometimes rule against the president and his political allies, despite attempts by the president to pressure the courts to comply with government wishes. The courts usually succeed in protecting the right to a fair trial. The weakness in Zimbabwe's judicial system stems from the lack of legal representation for the poor. Judges attempt to help defendants understand their rights during a trial, but judicial assistance is no substitute for being provided with an attorney.

Prison conditions are harsh. Prisons are overcrowded and, as a result, disease is widespread. Medical facilities are insufficient to treat sick prisoners. AIDS and cholera are common; a number of prisoners die of each of these diseases every year.

The government restricts freedom of speech and freedom of the press. Independent newspapers are allowed to operate, but face official and unofficial government censorship. Reporters who criticize the government often are beaten by the police. Fear of the police and government causes journalists to practice self-censorship. Television is even more firmly under government control than the print media.

Zimbabwe does not fully protect the right to freely assemble. Police regularly use force to break up protests and demonstrations. Tear gas and clubs are used against demonstrators. Most of the protests that were broken up by police were completely non-violent in nature.

The government respects the right to worship freely. A variety of Christian faiths operate freely in Zimbabwe. The government has put some restrictions on traditional religious practices that it calls witchcraft.

There is some ethnic discrimination in Zimbabwe. The dominant Shona majority tends to dominate government positions and businesses. There is also ongoing tension between the government and the white minority, which tends to be much richer than the black majority. President Mugabe has used racist statements to accuse whites in Zimbabwe of being "traitors."

Violence against women is common in Zimbabwe. Domestic violence is a leading cause of murders of women. Some women's groups are active and have opened shelters for victims of domestic violence. Economic discrimination against women is also common. Women are paid substantially less than men in the same jobs—and women have fewer opportunities to work at the higher levels of government or business.

The government generally protects the rights of children. Education is not mandatory, but the government does its best to provide most children with an education. A serious problem in Zimbabwe is the large

number of orphans caused by the AIDS epidemic. These orphans, combined with Zimbabwe's relative poverty, have made it more difficult in recent years to meet the needs of Zimbabwe's children. Partly because of this, there are more than 10,000 homeless children living on the streets in Zimbabwe.

The government allows local and international human rights groups to operate, but some human rights activists have been harassed by the police.

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SECTION TWO

Issues and Individuals

Abortion

Abortion remains a controversial human rights topic. For some people, the right to have an abortion is tied to a woman's right to control her own body. For them, denying her that right is denying her autonomy. But opponents of abortion argue that the fetus also has a right to life and that this right to life outweighs a woman's right to control her own body.

The international community has yet to recognize a woman's right to terminate a pregnancy, but some attention has been paid to the impact of restrictive abortion laws on women's enjoyment of certain fundamental rights. United Nations human rights organizations and government delegations at key global conferences have taken note of the effects of unsafe abortion on women's rights to life and health. Where abortions are illegal, women sometimes put themselves in the hands of incompetent or unlicensed abortion providers, and many women who experience these unsafe abortions die as a result.

The international community has been slower to acknowledge support for a right to choose abortion on the basis of the right to freedom from discrimination and rights that guarantee autonomy in decision-making regarding intimate matters. The latter include the right to privacy, the right to determine the number and spacing of one's children, and the right to bodily integrity. (The U.S. Supreme Court, in the court decision *Roe v. Wade,* based its decision on the right to privacy.)

THE RIGHTS TO LIFE AND HEALTH

While international organizations engaged in interpreting and enforcing human rights law have been reluctant to address the matter of abortion directly, it has been given some recognition in the context of women's rights to life and health. The right to life is a legal right protected in most of the main human rights instruments. It is recognized in Article 3 of the Universal Declaration of Human Rights (Universal Declaration), Article 6 of the International Covenant on Civil and Political Rights (Civil and Political Rights Covenant), Article 4 of the African Charter of Human and Peoples' Rights (African Charter), Article 4 of the American Convention on Human Rights (American Convention), and Article 2 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention).

While traditionally intended to protect individuals only from arbitrary execution by the state, the Human Rights Committee, which is charged with monitoring government compliance with the Civil and Political Rights Covenant, has suggested that the right to life gives rise to a state duty to take "positive measures" aimed at preserving life. The right to health is recognized in Article 12 of the International Covenant on Economic, Social and Cultural Rights (Economic, Social and Cultural Rights Covenant), which requires states to "recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." Article 12 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), further requires governments to "take all appropriate measures to eliminate discrimination against women in the field of health care."

Pro-choice demonstration outside a New Jersey abortion clinic that was firebombed by anti-abortion activists, April 1991.

It is widely acknowledged that, in countries in which abortion is legally restricted, women seek abortions clandestinely, under conditions that are medically unsafe. Because unsafe abortion is closely associated with high rates of maternal mortality, laws that force women to resort to unsafe procedures infringe upon women's right to life. This fact was acknowledged by the Human Rights Committee in its 1996 evaluation of Peru's restrictive abortion law. The Committee stated that it was "concerned that abortion gives rise to a criminal penalty even if a woman is pregnant as a result of rape and that clandestine abortions are the main cause of maternal mortality." These provisions not only mean that women are subject to inhumane treatment but are possibly incompatible with Articles 3, 6, and 7 of the Covenant.

Articles 3, 6, and 7 of the Civil and Political Rights Covenant, respectively, protect the right to non-discrimination; the right to life; and the right to freedom from torture and cruel, inhumane, or degrading treatment.

Where unsafe abortion does not result in death, it can have devastating effects on women's health. The health effects of unsafe abortion were addressed at two UN

conferences, the International Conference on Population and Development (ICPD) (Cairo, 1994) and the Fourth World Conference on Women (FWCW) (Beijing, 1995).

The Programme of Action adopted at the ICPD, while noting that "in no case should abortion be promoted as a method of family planning," called upon governments to consider the consequences of unsafe abortion on women's health.

The Programme of Action states: "All Governments and relevant intergovernmental and non-governmental organizations are urged to strengthen their commitment to women's health, to deal with the health impact of unsafe abortion as a major public health concern, and to reduce the recourse to abortion through expanded and improved family planning services. Prevention of unwanted pregnancies must always be given the highest priority and every attempt should be made to eliminate the need for abortion. Women who have unwanted pregnancies should have ready access to reliable information and compassionate counselling. . . . In circumstances where abortion is not against the law, such abortion should be safe."

The document also recommends that governments provide for the management of complications arising from abortion and for post-abortion counseling, education, and family-planning services.

The following year, at the FWCW, the international community reiterated this language and urged governments to "consider reviewing laws containing punitive measures against women who have undergone illegal abortions." In addition, in a section addressing research on women's health, the Platform for Action urges governments "to understand and better address the determinants and consequences of unsafe abortion."

Implicit in these documents is an acknowledgment that the rights to life and health require governments to protect women from the harmful effects of unsafe abortions. Despite the correlation between restrictive abortion laws and widespread resort to unsafe procedures, the international community remains reluctant to put any significant pressure upon countries to modify highly restrictive abortion laws.

FREEDOM FROM DISCRIMINATION

Freedom from discrimination in the enjoyment of protected human rights is ensured in every major human rights instrument. This protection appears in Article 2 of the Universal Declaration, Article 3 of the Civil and Political Rights Covenant, Article 3 of the Economic, Social and Cultural Rights Covenant, Article 2 of the African Charter, Article 1 of the American Convention, and Article 14 of the European Convention. Article 1 of CEDAW defines "discrimination against women" as "any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field."

To qualify as a form of discrimination against women under the above definition, restrictions on abortion would have to have either the "effect" or the "purpose" of preventing a woman from exercising any of her human rights or fundamental freedoms on a basis of equality with men. There are strong arguments to support the view that restrictive abortion laws have both that effect and that purpose. Restricting abortion has the effect of denying women access to

a procedure that may be necessary for their enjoyment of their right to health care.

Abortion is a medical procedure. When a pregnancy puts a woman's life or health at risk, abortion may be the only means of ensuring her safety. A number of countries that restrict access to abortion make no explicit exception for a woman whose life or health is endangered by a pregnancy. In these countries, health-care providers fearing criminal prosecution may be reluctant to perform an abortion even to save a woman's life.

In addition, health-care facilities in such countries may be ill equipped for abortion services and health professionals may lack the training necessary to perform the procedure safely. By not taking steps to ensure access to therapeutic abortion services, governments compromise women's rights to life and health. CEDAW has noted that "laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures" constitute a barrier to appropriate health care for women, compromising the right to non-discrimination in the area of health care. Indeed, the health consequences of unsafe abortion are suffered only by women, as are the physical effects of carrying an unwanted pregnancy to term.

The discriminatory purpose of the restrictive abortion laws of a number of countries also bears examination. The tendency to define women by their reproductive capacity remains common throughout the world. Governments continue to downplay the importance of women's participation in political, economic, social, cultural, and civil affairs. Were women permitted to play a role comparable to that of men in guiding the affairs of state and commerce, governments would grow to value their contribution to society as something other than the bearers of the next generation. Societies that have welcomed women's participation in affairs outside the home have increasingly recognized that reproductive decision-making is best left to women themselves.

AUTONOMY IN DECISION MAKING IN PRIVATE MATTERS

A woman's right to terminate a pregnancy emanates from her right to make decisions regarding her own body and reproductive capacity. Support for this right is found in a number of human rights instruments, which contain provisions that ensure autonomy in decision making about intimate matters. Such provisions include protections of the right to privacy, the right to decide freely and responsibly the number and spacing of one's children, and the right to one's own physical integrity.

Freedom from interference in one's privacy and family life is protected by Article 12 of the Universal Declaration, Article 17 of the Civil and Political Rights Covenant, Article 11 of the American Convention, and Article 8(1) of the European Convention. Decisions one makes about one's body, particularly one's reproductive capacity, lie squarely in the domain of private decision making. This principle was acknowledged in the 1977 case of *Bruggemann & Scheuten v. Federal Republic of Germany,* which was brought before the European Commission of Human Rights. In its initial review to determine admissibility of the case, the Commission found that pregnancy and abortion were within the scope of the European Convention's protection of privacy in Article 8(1). On the merits of the case, the Commission determined that the protection of Article 8(1) was not absolute and that governments could legitimately in-

tervene in private matters to protect fetal life. However, the Bruggemann case is a clear acknowledgment of the privacy interest that is infringed upon by restrictive abortion legislation. Three years after Bruggemann, in the case of *Paton v. United Kingdom*, the European Commission again took note of women's right to privacy in reproductive decision making. It held that the privacy interests of a woman deciding to have an abortion outweighed those of her husband, who unsuccessfully sought a right to be consulted in the matter.

The right to determine the number and spacing of one's children relates to the right to privacy, but also suggests a government duty to facilitate decision making in matters of family planning. In 1968, the Final Act of the International Conference on Human Rights stated that "parents have a basic human right to determine freely and responsibly the number and spacing of their children and a right to adequate education and information to do so." This right was restated at the World Population Conference in Bucharest in 1974, the International Conference on Population in Mexico City in 1984, the ICPD in 1994, and the FWCW in 1995. In addition, Article 16(e) of CEDAW provides that women and men shall have an equal opportunity to exercise this right.

A woman's ability to exercise her right to determine the number and spacing of her children could depend upon her access to abortion services. A number of scenarios bring to light the manner in which restrictive abortion laws infringe upon a woman's right to plan her family. A woman who becomes pregnant through an act of non-consensual sex would be forced to bear a child were she denied her right to an abortion. Women who live in settings in which family-planning services and education are unavailable may have no means of preventing an unwanted pregnancy. Access to safe abortion services may be their only means of controlling their family size. Finally, contraceptive failure inevitably occurs among some of those women who regularly use contraception. Given the many circumstances in which abortion may be the only means of exercising the right to determine one's family size, denying women access to abortion would clearly violate this right.

The right to physical integrity, while commonly associated with the right to freedom from torture, is derived from the right to respect for the dignity of the person, the rights to liberty and security of the person, and the right to privacy. The right to physical integrity is explicitly recognized in Article 4 of the African Charter and Article 5(1) of the American Convention. Implicit in the right to physical integrity is the right to freedom from unwanted invasions of one's body. A government that forces a woman to carry an unwanted pregnancy to term is, in effect, appropriating her body to accommodate the needs of another, namely, the unborn fetus. A woman's right to physical integrity entitles her to decide whether or not she will carry a pregnancy to term.

COMPETING CONSIDERATIONS: THE FETUS'S RIGHT TO LIFE

As noted above, the right to life is a fundamental right, recognized in nearly all major human rights instruments. Were this protection interpreted to protect the right to life of an unborn fetus, all of the rights discussed above would be considerably narrowed by this competing consideration. However, while the phrase "right to life" has been associated with the campaigns of

those who oppose abortion, it has not been interpreted in an international setting to protect unborn life absolutely.

Even Article 4 of the American Convention (formulated by the Organization of American States), which goes so far as to protect the right to life "in general, from the moment of conception," has been interpreted not to preclude liberal national-level abortion legislation. The Inter-American Commission on Human Rights addressed this issue in the 1981 Baby Boy case. In a challenge to the liberal stance on abortion taken by the U.S. Supreme Court in the 1973 case of *Roe v. Wade,* members of an anti-abortion group submitted a petition to the Inter-American Commission on behalf of an aborted fetus, referred to as "Baby Boy." Because the United States was not a party to the American Convention, the challenge was brought under the American Declaration on Human Rights (American Declaration), which protects the right to life, but does not specify that protection begins at the "moment of conception." The language of Article 4 of the Convention was relied upon to assist in interpretation of the Declaration.

The Commission rejected the petitioners' claims under the American Declaration, noting that an absolute protection of the right to life would have conflicted with the laws regulating abortion and the death penalty in most American states. The Commission then turned to Article 4 of the American Convention. Examining the drafting history of Article 4, the Commission found that the drafters chose not to include an unequivocal protection of the right to life from the moment of conception. Rather, they inserted the phrase "in general" to qualify that protection.

The Commission concluded that: "In the light of this history, it is clear that the petitioner's interpretation of the definition given by the American Convention on the right to life is incorrect."

Similarly, in the 1980 case of *Paton v. United Kingdom,* the European Commission ruled that the term "everyone" in Article 2 of the European Convention (protecting "everyone's right to life") does not include the unborn. The Commission did not determine conclusively whether the life of an unborn fetus is entitled to any protection under Article 2. It held, however, that, even were a fetus entitled to some protection, Article 2 could not prevent a woman from obtaining an abortion at an early stage of pregnancy to protect her physical and mental health. In *Open Door and Dublin Well Woman v. Ireland,* a recent case before the European court of Human Rights, the court held that a state's declared interest in protecting the right to life of the unborn did not give it unlimited discretion in taking steps to protect that interest. It thus struck down an Irish ruling restricting the right of a woman's health care clinic to counsel women on the availability of abortion services in Great Britain. The court found that the restriction was "over-broad and disproportionate," concluding, in part, that the restriction did little to protect unborn life while creating "a risk to the health of those women who are now seeking abortions at a later stage in their pregnancy."

It is unclear whether the international community will come to recognize a woman's right to choose an abortion. More than fifty countries permit abortion without restriction. Several of these countries, including Canada, South Africa, and the United States, have grounded liberal abortion policies in notions of a woman's right to make decisions regarding her own body. If change is to occur incrementally at the national level, advocates for women's rights

will be likely to continue to seek recognition of abortion rights under national-level human rights protections.

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See also: Right to Life; Women's Rights.

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Affirmative Action

Equal treatment without discrimination on account of race or ethnicity is a fundamental human right. In the most general sense, affirmative action refers to actions taken or laws promulgated for the purpose of undoing some or all of the effects of past discrimination. A number of human rights agreements affirm the principle of affirmative action. While affirmative action—which critics view as reverse discrimination—has been a subject of lively debate within the United States, it has been less controversial elsewhere.

Students protest against the University of California's decision to restrict affirmative action, July 1995.

Affirmative action gives people, usually members of minority groups that have been discriminated against in the past, opportunities in employment or education that they might not otherwise have. Affirmative action takes a variety of forms. Some affirmative action programs use quotas to reserve space in universities or corporations for members of groups that have suffered discrimination. Other programs make extra efforts to recruit among discriminated groups, without necessarily offering any help in passing entrance requirements.

Those critics who see affirmative action as a form of reverse discrimination—meaning that it unfairly discriminates against those who are not the beneficiaries of the policy—often fail to acknowledge that colleges and businesses discriminate in many ways—favoring the children of alumni or those who can most easily fit in with the corporate culture—and that the purpose of affirmative action is merely to redress the already existing societal discrimination.

Although affirmative action has not occupied a prominent place in the international human rights movement, it has nevertheless been specified as a norm in such documents as the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination Against Women. The foundation for affirmative action is specified in such documents as the International Covenant on Civil and Political Rights, Article 27, where it asserts, "In those States in which ethnic, religious, or linguistic minorities exist, persons belonging to such

minorities shall not be denied the right in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

This statement appears to be addressing situations in which such rights are not enjoyed, implying that states should take steps to rectify past discrimination.

The International Convention on the Elimination of All Forms of Racial Discrimination makes affirmative action more explicit by asserting that nations should take "special measures" for the "sole purpose of securing adequate advancement for certain racial or ethnic groups or individuals requiring such protection as may be necessary to ensure such groups or individuals equal enjoyment or exercise of human rights" (Article 1[4]).

Affirmative action is also explicitly stated in the Convention on the Elimination of All Forms of Discrimination Against Women, where it encourages states to adopt "temporary special measures aimed at accelerating de facto equality between men and women" (Article 4[1]).

Affirmative action programs are used around the world. Two of the more well-known practitioners of affirmative action are the United States, which uses affirmative action to redress the discrimination traditionally faced by blacks, Hispanics, and women, and India, where affirmative action is used to redress the prejudice shown toward untouchables and members of other castes that have been subject to discrimination.

James R. Lewis

See also: Minority Rights; Racism.

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Aging

Those who suffer the most from the general human rights abuses connected with poverty tend to be the very old and the very young. When there is not enough to go around, the elderly, in particular, tend to be denied their rightful share of resources. The elderly, like the very young, are often unable to demand those rights to which they are entitled.

In many Western nations, as well as in other countries, the second half of the twentieth century witnessed a steady shift in the age pattern and composition of the population from being weighted toward younger people to being weighted toward the aged. This shift occurred primarily as a result of lengthening life spans and decreasing birth rates, with the population of older persons (generally defined as age sixty and above) increasing both in actual numbers and as a percentage of the total. By the year 2025, this segment of the population is projected to reach 1.2 billion, up from 200 million in 1950. Recognizing that this sixfold increase has important economic and social implications both for older people themselves and for the countries of which they are citizens, the United Nations (UN) has addressed this issue since the beginning of this trend.

As perceived and analyzed by the UN, there are several aspects to the aging of the world's population that will need to be addressed. First, the UN has observed that the countries that will experience the most rapid aging of their populations will be the emerging countries of Africa, Asia, and South America. Second, they will be dealing with this trend without the well-developed socio-economic, governmental, financial, and educational institutions of more established nations. Third, they will experience this demographic shift in a relatively compressed time frame. The UN is concerned that the human rights, integrity, and independence of elderly persons be assured as countries deal with this phenomenon.

In its early years, the UN did not advocate that any definitive steps be taken for safeguarding the rights of older persons, but by the 1970s, evidence of the extent of the growing elderly population had become the catalyst for action. The World Assembly on Aging, held in Vienna in 1982, passed the International Plan of Action on Aging, a document containing sixty-two recommendations that addressed such issues as employment and income security, housing, health care, and education. It also included recommendations for nations to create infrastructure to coordinate and administer policies, programs, and research on aging. Finally, the plan emphasized the importance of recognizing the elderly as an active and contributing segment of the world's population.

This plan was approved by General Assembly resolution, and in 1987 the General Assembly reaffirmed its support for the plan and for the founding of the International Institute on Aging in Malta, which had been one of the plan's recommendations. Since 1988, the Institute has served to coordinate and to provide a forum for the sharing of expertise in the field of aging, particularly between developed and developing countries.

Three years later, in 1991, in order to re-emphasize to its member nations the

Old age home in Brazil; the old slowly die with few comforts.

importance of addressing the needs of their elderly populations, the UN General Assembly adopted the United Nations Principles for Older Persons, a set of eighteen principles that enumerated the basic rights of older persons in the areas of independence, participation in society, care, self-fulfillment, and dignity. The importance of these principles lies in the fact that these rights correlate closely with the rights proclaimed in the international covenants on human rights, none of which make specific reference to the rights of older persons.

The following year the General Assembly convened an International Conference on Aging, at which it adopted the "Proclamation on Aging." The proclamation reiterated the importance of addressing the present and future needs of their elderly populations within the context of the International Plan of Action on Aging and the Principles for Older Persons.

In addition, the General Assembly designated 1999 as the International Year of Older Persons (IYOP), "in recognition of humanity's demographic coming of age and the promise it holds for maturing attitudes and capabilities in social, economic, cultural, and spiritual undertakings, not least for global peace and development in the next century." The overall objective of IYOP was to promote the Principles for Older Persons and to encourage member states to translate them into concrete policies and programs to benefit the elderly segments of their populations.

In 1995, the UN High Commissioner for Human Rights issued a statement entitled "The Economic, Social, and Cultural Rights of Older Persons," in which the rights of older persons in relation to the International Covenant on Economic, Social, and Cultural Rights were discussed. The High Commissioner was emphatic that the spirit and intent of the Covenant clearly includes the rights of older persons:

"The International Covenant on Economic, Social, and Cultural Rights does not contain any explicit reference to the rights of older persons. . . . Nevertheless, in view of the fact that the Covenant's provisions apply fully to all members of society, it is clear that older persons are entitled to enjoy the full range of rights recognized in the Covenant. This approach is also fully reflected in the Vienna International Plan of Action on Aging. . . . Accordingly, the Committee on Economic, Social and Cultural Rights is of the view that States party to the Covenant are obligated to pay particular attention to promoting and protecting the economic, social, and cultural rights of older persons. The Committee's own role in this regard is rendered all the more important by the fact that, unlike the case of other population groups such as women and children, no comprehensive international convention yet exists in relation to the rights of older persons and no binding supervisory arrangements attach to the various sets of United Nations principles in this area."

Reflecting the increasing attention being given to the rights of older persons, there is now a UN office on aging issues, part of the Division for Social Policy and Development, that serves as a liaison between the various UN commissions, offices, and programs that deal with the rights and concerns of older people.

James R. Lewis

See also: Right to Life; Women's Rights.

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AIDS/HIV and Human Rights

Women with AIDS at a local Mozambique medical center, 1991. Because heterosexual relations are the main transmitter of AIDS in Mozambique, women are often particularly vulnerable.

Since doctors first became aware of it in the early 1980s, HIV/AIDS has had a devastating impact on human rights. (HIV stands for human immunodeficiency virus, while AIDS—acquired immunodeficiency syndrome—is the deadly breakdown of the immune system that usually results from lengthy exposure to HIV.) In the two decades that AIDS has spread, it has become the leading cause of death in Africa and a serious threat in many other countries. Today it kills more people worldwide than any other infectious disease. Over 95 percent of people infected with HIV live in developing countries, which also account for over 95 percent of the deaths caused by AIDS. Biological, cultural, socio-economic, and structural co-factors have been identified to explain why some countries are more severely affected (those in sub-Saharan Africa) or face rapidly growing epidemics (Asia and the Pacific, Latin America and the Caribbean, and Eastern Europe). These factors include high rates of untreated sexually transmitted diseases; gender imbalances in access to schooling, vocational training,

and capital; and social disruption caused by forced migration and wars.

HIV/AIDS IS A HUMAN RIGHTS ISSUE

The co-factors of widespread HIV/AIDS-related illness and death are themselves human rights concerns. War, poverty, and discrimination against women are all factors that increase the likelihood that a country will suffer a higher rate of AIDS-related deaths. Since the virus entered countries at different times in the last two decades, HIV infection levels are generally lower in countries where rights are respected, protected, and fulfilled. However, even in developed countries, disadvantaged minorities or those who face particular discrimination (such as indigenous peoples, intravenous drug users, or gay men) usually have higher-than-average rates of HIV infection.

Those countries that rank poorly in terms of civil, political, economic, social, and cultural rights are generally the worst affected, or can expect to face rapidly expanding epidemics.

Initiatives that assist communities in securing their human rights also address the co-factors of the HIV/AIDS epidemic and will contribute to a reduction in rates of infection, morbidity, and mortality. Initiatives that focus only on providing information have little long-term positive impact on the course of the epidemic. The right to health demands that governments fight the spread of HIV/AIDS.

The theoretical tools for, and practical examples of, rights-based HIV/AIDS programming are now available. Two United Nations (UN) gatherings of experts (called "consultations") have addressed the issue of human rights in the context of HIV/AIDS. The 1996 Second International Consultation guidelines (International Guidelines on HIV/AIDS and Human Rights) provide a comprehensive approach to policy and law. In particular, the guidelines lay out the steps to be taken to review and reform laws that discriminate against women and girls in such areas as property, marital relations, access to employment and economic opportunity, and reproductive and sexual rights. The guidelines make this emphasis because numerous studies have shown that women with poor education and few economic rights are more vulnerable to the spread of HIV/AIDS. (For example, a woman who is empowered with knowledge and rights within her marriage is more likely to insist that her sexual partner uses condoms.)

In 2001, all UN member states were asked to report to the Commission on Human Rights on the steps they have taken to promote and implement the guidelines (Commission on Human Rights Resolution 1999/49). In 1999, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Inter-Parliamentary Union published a guide for legislators, which includes positive examples of rights-based responses around the world.

DISCRIMINATION AGAINST PEOPLE WITH HIV/AIDS

Unjustified discrimination against people infected with HIV can be found in every society. They and their family members (or people wrongly thought to be infected), may face discrimination in areas such as employment and access to housing, education, and medical care. In spite of the fact that HIV/AIDS can only be spread through intimate contact—the sharing of bodily fluids that occurs during sexual activity, blood transfusions, and the sharing of needles—

Mural in Mozambique used to raise AIDS awareness and to encourage condom use, 1993.

many people still shun those whom they know to be infected. This prejudice leaves the sufferers feeling rejected by society and makes it more difficult for them to seek treatment or information.

In the rich countries of the West, HIV/AIDS is often associated with homosexuals, who were one of the first groups to suffer from the onslaught of HIV infection—unlike in Africa, where the vast majority of HIV carriers are heterosexuals. For this reason, old anti-gay prejudices are combined with the new fear of HIV/AIDS to create a more virulent form of discrimination. At its ugliest, this prejudice can take the form of saying that gays "deserve" their disease because of their "unnatural" lifestyle.

At the 1994 Paris AIDS Summit, forty-two national governments declared their obligation and resolve to act with compassion for and solidarity with those already carrying HIV and those at risk of becoming infected, both within societies and internationally. They also expressed their determination to ensure that all persons living with HIV/AIDS are able to realize the full and equal enjoyment of their fundamental freedoms, without distinction and under all circumstances. They detailed their determination to fight against poverty, stigmatization, and discrimination, and their intention to mobilize all of society—the public and private sectors, community-based organizations, and people living with HIV/AIDS—in a spirit of true partnership.

Discrimination against people living with HIV/AIDS not only is contrary to human rights principles, but hinders the partici-

AIDS remains a serious health problem in Gambia. Government publicity campaigns try to raise awareness of the dangers.

pation of people infected, and affected, and hence impedes public health and health care efforts at prevention.

OTHER ISSUES

There are many other human rights issues connected to the HIV/AIDS epidemic. Those dying of AIDS-related diseases need caring and supportive health care. First, they need it to prolong their lives (which now can often be done very successfully), and if that proves impossible, to ease their suffering while they are dying. Often neither kind of care is available to AIDS sufferers, and they are forced to die alone and in agony.

Another related issue is the availability of drugs to fight various symptoms of AIDS. Doctors and pharmaceutical companies have come up with a cocktail of drugs that can slow, and sometimes even reverse, the worst symptoms. But these drugs are expensive, so it is mostly those in Western countries who can afford to pay for them. Thus, the human right to life is directly connected to poverty.

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See also: Health Rights; Poverty; Sexual Orientation and Homosexuality.

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Aliens and Non-Citizens

An alien is a person with citizenship in one country but living in another. As the world becomes effectively smaller because of increasingly efficient modes of transportation and communication and the process of globalization, more and more people are residing outside their home countries—on a temporary or ongoing basis—for a variety of reasons.

Although non-citizens do not have the full range of rights enjoyed by citizens (e.g., voting and running for public office), governments still have a duty to protect the human rights of those traveling or residing within their national borders. Given the common human tendency to distrust outsiders and the discrimination or even persecution that can arise out of such distrust, protecting the human rights of aliens can present a challenge.

The degree to which aliens can be mistreated varies. In the United States, illegal immigrants from Mexico are harassed, sent back across the border, or forced to work without legal documentation or protection. In Germany, where many Turks and Kurds reside and work, aliens have legal rights but face widespread discrimination.

In 1985, concern for protecting the human rights of resident aliens led the United Nations General Assembly to adopt the Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in Which They Live. Article 5(1) of this Declaration stipulates that aliens shall enjoy the following rights:

Turkish immigrant selling clothes. Germany has a large population of poor Turkish immigrants, November 1989.

a. The right to life and security of person; no alien shall be subjected to arbitrary arrest or detention; no alien shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law;
b. The right to protection against arbitrary or unlawful interference with privacy, family, home, or correspondence;
c. The right to be equal before the courts, tribunals, and all other organs and authorities administering justice and, when necessary, to free assistance of an interpreter in criminal proceedings and, when prescribed by law, other proceedings;
d. The right to choose a spouse, to marry, to found a family;
e. The right to freedom of thought, opinion, conscience, and religion; the right to manifest their religion or beliefs, subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others;
f. The right to retain their own language, culture, and tradition;
g. The right to transfer abroad earnings, savings or other personal monetary assets, subject to domestic currency regulations.

The balance of Article 5 deals with the rights of aliens to leave the country, move within a country, own property, and enjoy the rights of both freedom of expression and freedom of peaceful assembly. Other articles refer to a wide range of human rights, from the right to be free from torture, to the right to join trade unions.

James R. Lewis

See also: Refugees; Xenophobia

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Amnesty

Amnesty is the legal granting of immunity for past criminal acts. (Its Greek root is the same as for the word *amnesia*, or forgetting; in other words, a forgetting of previous crimes.) Amnesty can be granted for a variety of crimes but is usually granted for political crimes. Political crimes might include treason or conspiring against the government; amnesty is often declared after civil war as way of bringing about an end to the conflict. This latter sense is the most significant for human rights.

Human rights abuses tend most often to be committed by authoritarian regimes, dictatorships, and one-party states. Democracies can and do commit human rights violations, but usually not as a matter of practice, and rarely against their own people. The contrary is true for dictatorships, which tend to commit most of their human rights violations against their own citizens. This creates a problem when a dictatorship wants to, or recognizes that it must, give up power. Considering all the crimes they have committed and all the human rights abuses for which they are responsible, the leadership of such a dictatorship is understandably reluctant to let go of its command. This is because once the leader steps down from power, a new regime, often including many of those whose rights the dictatorship had violated, is likely to prosecute the former leaders for their crimes. And so, to protect their

Mural publicizing the human rights group Amnesty International in Quito, Ecuador.

Archbishop Desmond Tutu presiding over the first meeting of the South African Truth and Reconciliation Commission, April 30, 1996.

own safety, dictatorships desperately try to hold on to control.

This is why those who wish to replace an oppressive government are often willing to offer the leaders of that government amnesty in return for peacefully handing over power. They reason that if amnesty is not offered, the oppressive government may stay in power for years, causing more harm and committing more human rights abuses. But if the dictators are allowed to leave peacefully and they are assured of their safety, then there will be an end to struggle and an end to suffering. To many, however, the price of this kind of peace is justice (and revenge) forgone. The peacemakers must reconcile themselves to seeing their former oppressors—some of them perhaps murderers and torturers—go free. The hope is that this process, sometimes called "social forgetting," will allow a new, better society to be built, without the risk that revenge-seeking will tear it apart.

Letting the guilty go free in return for peace rankles many. There are those who oppose amnesties for this reason. Rather than amnesty, they demand justice; those guilty of crimes against humanity should be punished. However, this often leads oppressive dictatorships to remain in power, thereby forgoing either peace or justice.

A number of governments have offered their former oppressors amnesty as part of their price for being allowed to take power. In Chile, Augusto Pinochet and others were granted amnesty for any past crimes as their price for gradually allowing Chile to return to democratic rule. In South Africa,

Nelson Mandela granted amnesty for past crimes to the white regime, which he and his party replaced. In both cases, these regimes had committed murder, both open and secret, and wide-scale torture and had unfairly imprisoned much of their population. By granting amnesty, the new governments assured a peaceful transition to power and laid the foundations for a stable, democratic future. But it came at a price.

As one way of reconciling a desire for justice with a need for peace, a number of governments with ugly crimes in their past have created "truth and reconciliation commissions." These commissions are authorized to investigate the crimes of the previous regime. Witnesses are called, testimony is heard, and crimes are admitted. But unlike in normal court proceedings, no one is punished. Those tortured can come and listen as their torturers confess to their crimes, but they know that they will never achieve complete justice. The torturers will go free.

While many object to this partial solution, it has also found many supporters and is becoming increasingly common in a world where dictatorships and authoritarian regimes are slowly surrendering their power to fledgling democracies. South Africa, for example, seems to have considered its Truth and Reconciliation Commission a success. Even though no one was punished, it did give victims a chance to have their suffering acknowledged. One of the most painful things for those who have suffered human rights abuses is that often no one believes their story. By forcing their torturers to come forward, the victims can sometimes find some comfort and peace of mind.

Carl Skutsch

See also: Impunity; Torture; War Crimes.

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Anti-Semitism

Anti-Semitism is hostility toward or discrimination against Jews. The word was first used in the nineteenth century, but the roots of this hatred go back much further, making anti-Semitism one of the oldest, most persistent, and most pervasive forms of bigotry in the world.

Hostility toward Jews can be traced back to at least the time of the Roman Empire. Jews were disliked for what was perceived by outsiders as arrogance, and for their insistence on worshipping their one god rather than sharing in the worship of the many gods of the Greco-Roman world. Still, it is not clear that Jews were particularly singled out. The Roman Empire consisted of many different groups—Greeks, Gauls, Armenians, and others—who sometimes clashed.

With the rise of Christianity, however, hostility toward Jews increased. Although Christianity grew out of Judaism—Christ was Jewish, as were most of Christ's original followers—many early Christians felt that Jews had betrayed them. They held Jews responsible for Christ's crucifixion (although the Romans actually crucified Christ) and attacked them for refusing to embrace Christ as the prophesied messiah. During the Middle Ages, this sense of betrayal solidified into suspicion and animosity; Jews were kept out of many professions, forced to live in segregated communities known as ghettos, and suspected of having dealings with the devil (this was an era that believed in, and burned, witches). Jewish communities were scattered throughout Europe, but most Jews spent the greater part of their lives in segregated ghettos. A small minority of Jews achieved success as merchants and bankers, and some of these wealthy Jews became moneylenders to kings and emperors. Envy of the wealth of these Jews helped to further increase Christian hostility toward Jews.

In the eighteenth century, the intellectuals of the Enlightenment began arguing that religious prejudice was foolish and inspired by superstition. With these modern ideas increasingly accepted, Jews in the nineteenth century saw many of the legal restrictions on where they could live and what jobs they could hold wiped away. For the first time, large numbers of Jews entered the mainstream of Europe's cultural and economic life, particularly in Western Europe. Unfortunately, this period of Jewish emancipation also marked the beginning of modern anti-Semitism.

Racial theorists like Joseph de Gobineau (1816–1882) wrote books arguing that all people should be classified according to their race. Some races, they said, were superior, some inferior, and some were simply bad. Treating Jews as a separate race, Gobineau and other racist thinkers combined the traditional dislike of Jews with their pseudoscientific theories to argue that Jews, whom they called Semites, were a "bad race." Thus, the term "anti-Semitism" was born. Others jumped on this bandwagon of bigotry, and attacks on Jews increased, particularly in Eastern Europe. Jewish villages in Russia and Poland were attacked and burned, and many Jews were killed. Some Jews fled Europe for America; others began to think of creating their own country in Palestine.

At the turn of the twentieth century, the Russian secret police published a pamphlet called *The Protocols of the Learned Elders of Zion.* The pamphlet purported to be a plan by Jewish leaders to take over the world; although the book was widely discredited, many people believed it to be true (and some still do today). Among its early champion was American automobile maker Henry Ford, who supported its publication in the United States in the 1920s.

In the 1930s, Adolf Hitler used the hostility toward Jews to help build a political movement called Nazism. Hitler and the National Socialist, or Nazi, Party blamed Jews for Germany's difficulties and convinced many Germans that if they supported him, he would deal with the "Jewish problem." After taking over Germany in 1933, he did exactly that. During Hitler's twelve years in power, the Nazis built concentration camps and systematically killed six million Jews, out of Europe's total of nine million. This mass murder, called the Holocaust, was not done without help; many Europeans, not just Germans, shared Hitler's feelings toward Jews and helped round them up for the gas chambers. (A much smaller number, including some Germans, did their best to save those Jews they could.)

Anti-Semitism did not stop with Hitler's defeat in 1945. It lingered—and lingers—on in many places, such as Russia where there has been a resurgence since the end of the cold war. In the Middle East, many Arabs, angered by the creation of Israel and the expulsion of Arabs from Palestine, embraced anti-Semitism. (As the Arabs are also Semites, this may seem an odd word-choice; but the dislike of Jews felt by some Arabs bears all the traits of traditional anti-Semitism, so the word still seems appropriate.)

Young Hungarian Jewish girl points to an anti-Semitic scrawl on a political poster in Budapest.

Elsewhere in the world, Jews are still being blamed for all that is wrong with people's lives. In the United States, fringe right-wing groups embrace the idea, first fabricated by the Russian secret police in *The Protocols*, that Jews are trying to take over the government. Some extremists even argue that they already have and that the United States is being run by ZOG: the Zionist Occupational Government. Timothy McVeigh, the man who blew up the Federal Building in Oklahoma City in 1995, shared many of these beliefs; in setting his explosives, he believed he was striking a blow against ZOG. In the fringes of the African-American community, anti-Semitism is also on the rise. Nation of Islam leader Louis Farrakhan has made many statements blaming African Americans' problems on whites and Jews and suggesting that there was a Jewish conspiracy keeping blacks back: "I believe that for the small numbers of Jewish people in the United States, they exercise a tremendous amount of influence on the affairs of government. . . . Yes, they exercise extraordinary control, and black people will never be free in this country until they are free of that kind of control."

The influence of anti-Semitism on human rights issues are difficult to quantify and vary from place to place. Wherever anti-Semitism exists, like other forms of bigotry, it diminishes the respect for human dignity that Jews, and all people, deserve. In countries like the United States, Jews suffer little more than occasional slurs, whereas in Iran, Jews have been accused of spying for the "Zionist conspiracy" and put on trial for their lives.

The enduring power of anti-Semitism is hard to explain rationally. Even in Japan, a country with almost no Jews, books with titles like *The Jewish Plot to Control the World* sell well. The Internet is also a new breeding ground of anti-Semitism, with anti-Semitic web sites springing up every week. As long as this kind of prejudice continues, Jews will still feel that respect for their human rights is less than secure.

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See also: Genocide; Racism.

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Apartheid

A system of political and economic oppression based upon race, apartheid (pronounced apar-tate), an Afrikaner word meaning "separateness," was the official policy of the government of South Africa from 1948 until 1990. Apartheid was a policy designed to keep the white minority in power over South Africa's black majority.

The implementation of apartheid resulted in the forced relocation of 3.8 million people and a marked increase in human rights violations accompanying the repression of internal dissent, practices that made South Africa a pariah nation and sparked a worldwide anti-apartheid movement. The ending of apartheid and the transition to a new South Africa that occurred in the 1990s is widely regarded as one of the most significant successes of the twentieth-century human rights movement. However, the policy of apartheid left a legacy of suffering and inequality that the country will be struggling to overcome for many years.

South African whites enjoying the sun at a beach at which blacks are not allowed (January 1988). Today, such segregated beaches are a thing of the past.

APARTHEID'S ROOTS

Although aspects of apartheid policies were present in South Africa ever since the country was first settled by Europeans in 1652, the formal policy of apartheid was introduced as the National Party platform in the 1948 national elections by then party chief D. F. Malan. South Africa had a long history of official racial discrimination before the National Party's victory in the 1948 elections. The Union of South Africa, which was established in 1910 following the Anglo-Boer War (1899–1902), passed the Natives Land Act (1913) restricting black land ownership to 7 percent of the country. The Native Trust and Lands Act (1936) consolidated earlier legislation concerning land ownership, and although it increased black land reserves to 13 percent, it also disenfranchised the African majority.

Following the victory of the National Party in the 1948 elections, the long-time policy of racial segregation and white supremacy was further entrenched in law by the passage of several bills, such as the Prohibition of Mixed Marriages Act (1950), the Population Registration Act (1950), the Reservation of Separate Amenities Act (1950), and the Native Laws Amendment Act (1952), which were designed to divide the country into separate groups and to restrict Africans and other non-whites from living in white urban areas. The policy of separate development known as apartheid ensured white political domination, economic exploitation, and social privilege while subjecting the black majority of the population to harsh security laws, racial discrimination, unequal education, and forced segregation.

"Separate development," or what was called "grand apartheid," was largely the intellectual creation of Dr. H. F. Verwoerd, who became the minister of native affairs in 1951 and later became prime minister in

Insane asylum in South Africa. Some of these black men were placed here for resisting the regime, an action defined by the government as insane.

1958. According to his theory, the white, African, Coloured, and Asian people of South Africa constituted distinct races or "volk," and each should therefore develop separately its own political, economic, and cultural institutions in order to fulfill its own national destiny.

While different racial and ethnic groups within South Africa had long been segregated and "race-mixing" had been widely condemned by whites, the formal policies of apartheid pushed these ideas to an extreme by enforcing relocation to separate areas for each group. Each racial group was supposed to be restricted to its own territory.

The policy of separate development effectively denied South African citizenship rights to the black majority, transferring them under the Group Areas Act (1950) to "Bantustans" or "homelands," which were supposed to become self-governing independent nations with the power to collect taxes and to control schools, hospitals, prisons, and the police within their own jurisdictions. In practice, the lands allocated to black homelands were both smaller in area and of poorer quality than that given to the white majority.

The basic policy calling for the strict segregation of the races was tempered by the need for cheap African labor in the areas of the country reserved for whites, mainly the urban areas, the mining areas, and the areas with the richest farmland. The need for black labor led to the introduction of the pass laws (1952), which obliged every adult African working outside his homeland to carry a passbook stamped by his employer. Not only Africans suffered under these policies; South Africa's other racial and ethnic minorities, the so-called "Coloured" or "mixed-race" population and the Asian (Indian) population, were also effectively disenfranchised by the Separate Registration of Voters Act (1951) and a senate act (1956). The effect of these policies was not only to ensure the separation of the races, but to allow the white minority to maintain control over the political and economic affairs of the country.

RESISTANCE AND THE ANC

During the 1950s, popular resistance to apartheid policies provoked the government into taking increasingly repressive actions. In 1952 the African National Congress (ANC), which had been founded in 1912, became the main opponent of apartheid. The ANC organized a "Defiance Campaign" against the pass laws, and later, in June 1955, held the Congress of the People at Kliptown, which produced the Freedom Charter, a manifesto urging the creation of a non-racial democracy with equal rights and equal opportunities for all inhabitants of the country. Several months later, police arrested more than 500 activists and supporters of the charter, banned several organizations, including the ANC, and charged 156 of the leaders, including Nelson Mandela, with treason. Their trial, which attracted international attention, dragged on until March 1961 and eventually ended in acquittal for all of the remaining accused, including Mandela, who had been active in the ANC's Youth League at the time of his indictment for treason.

On March 21, 1960, armed police opened fire on a crowd in the town of Sharpeville in the Transvaal, killing sixty-seven blacks and wounding nearly two hundred others. Apartheid policies and the increasingly violent repression of dissent caused strong international criticism of the government that eventually led to its withdrawal from the British Commonwealth and declaration

of the Republic of South Africa in May 1961. In June 1961, the ANC, at the urging of Mandela and other young leaders, abandoned its decades-old policy of non-violent resistance to white rule and decided to pursue a military strategy aimed at sabotaging government installations. Mandela was chosen to organize the military force known as Umkhonto we Sizwe ("Spear of the Nation") needed to carry out this strategy. That same year, ANC President Albert Luthuli, who represented the older generation's philosophy of non-violent resistance in the tradition of Gandhi, was awarded the Nobel Peace Prize.

The government reacted with harsh repression to the ANC's change of tactics. Minister of Justice B. J. Vorster initiated a series of laws designed to limit the freedom of movement and speech of "agitators," including the Sabotage Act (1962), which put the onus of proof on the accused, and the General Law Amendment Act (1962) that allowed the police to detain suspects for up to ninety days without a warrant.

A police raid on July 11, 1963, at a farmhouse near Johannesburg that had been used as a secret headquarters by the ANC produced a wealth of incriminating information leading to the arrest of seventeen of the main leaders of the ANC. Mandela, who had been evading the police as the "Black Pimpernel," had already been arrested and charged with incitement to violence and passbook violations. To these charges were now added the charges of sabotage and other violations of the Criminal Law Amendment Act.

Mandela and nine co-defendants were put on trial in October 1963. The trial lasted seven months and ended with guilty verdicts and life sentences for eight of the accused: Nelson Mandela, Walter Sisulu, Govan Mbeki, Dennis Goldberg, Raymond Mhlaba, Elias Motsoaledi, Andrew Mlangeni, and Ahmed Kathrada. At the time, these arrests and the trial were seen as having broken the back of organized resistance to apartheid.

Prime Minister Verwoerd, the architect of apartheid, was assassinated by a messenger in the House of Assembly on September 6, 1966, and B. J. Vorster succeeded him in February 1967. Vorster presided over the consolidation of the apartheid policies initiated by his predecessors, but he also had to deal with increasing opposition to the policy, both within South Africa and internationally.

Despite growing international disapproval, the National Party government continued its apartheid policy. Three nominally "independent" black homelands were established in the 1970s: Transkei became independent in 1976, Bophuthatswana in 1977, and Venda in 1979. A fourth homeland, Ciskei, gained nominal independence in 1981. However, internal resistance to apartheid also continued to grow. On June 16, 1976, black students in Soweto staged a march to protest the Bantu Education Directive that Afrikaans had to be a language of instruction in the secondary schools, along with English and a native language. The ensuing police crackdown left twenty-three dead and several hundred injured, and the violence spread to other parts of the country over the next several months.

On August 18, 1977, Steve Biko, the charismatic leader of the black consciousness movement, was arrested near Grahamstown. Within a month he was dead as a result of injuries sustained while in police custody. The police were exonerated, but it was widely believed, and later confirmed, that he died as the result of torture at the hands of the South African police. These incidents and other similar

ones radicalized an entire generation of South Africans and fueled the popular mobilization that eventually brought apartheid to an end.

Prime Minister Vorster left office in 1978 in the midst of a scandal and was succeeded by P. W. Botha. In 1980, in a halfhearted attempt to counter criticism of the policy of apartheid, Botha abolished the all-white Senate and replaced it with a President's Council consisting of white, Indian, and Coloured members. In 1982, this body proposed a new constitutional dispensation under which each of these three groups would have its own chamber in a tricameral legislature, However, it omitted Africans, who were supposed to be self-governing within their own homelands. A referendum of white voters in November 1983 approved the plan by the required two thirds majority, and the first Parliament under the new constitution convened in September 1984 with Botha as state president.

Black fury over the installation of this new constitution provoked widespread unrest in the townships. Despite the "iron fist," the edifice of apartheid was beginning to crumble. In 1986, the government abolished the hated pass laws, and several other measures designed to control blacks movement and right to work in the white areas of the country. Accelerating protests led the government to renew the state of emergency and to extend it nationally in May 1986. Under these draconian security laws, thousands of dissidents were arrested and imprisoned, many organizations were banned, and the media were all but muzzled. Botha suffered a stroke in January 1989, and leadership of the National Party was taken over by F. W. de Klerk, who was at the time a rather obscure National Party politician.

APARTHEID ENDS

De Klerk and other progressives within the National Party and members of the white business elite concluded that the policy of apartheid was unsustainable and had to end. The collapse of the Soviet Union in 1989 and the end of the cold war gave de Klerk the historic opportunity he needed. The formal end of apartheid came in the opening address to Parliament on Feburary 2, 1990, when, as state president, F. W. de Klerk announced his government's decision to unban the African National Congress, the Pan-Africanist Party, the South African Communist Party, and other banned political organizations, as well as to lift media censorship and to release Nelson Mandela and the other remaining long-term political prisoners. On February 11, 1990, Mandela walked out of the gates of Victor Verster Prison a free man after twenty-seven years of imprisonment, thus inaugurating a new era in South African politics and race relations.

In 1993, de Klerk and Mandela were jointly were awarded the Nobel Prize for Peace for their work in bringing peace, justice, and reconciliation to South Africa. In April 1994, following an ANC landslide in South Africa's first all-race election, Mandela became the first black South African state president. He presided over a transitional government in which de Klerk served for a time as deputy president.

In an effort to come to terms with the legacy of apartheid, a Truth and Reconciliation Commission was appointed in 1995, headed by Archbishop Desmond Tutu. The purpose of the commission was to collect accounts of victims of apartheid and to consider granting amnesty to those perpetrators who come forward to confess their crimes, as a means toward national recon-

ciliation. The work of the commission produced controversy and was seen by some as opening wounds while perpetuating impunity. Others believed that confession without punishment, while unjust, was the only possible way for South Africa to move forward to a better future.

In May 1996, South Africa adopted a new constitution containing a progressive bill of rights that excludes discrimination based upon race, religion, age, language, and sexual orientation and abolished the death penalty. It also established a Constitutional Court with the power of judicial review over laws passed by the National Assembly. In late 1997, Mandela retired from the leadership of the ANC and passed the day-to-day running of the government to his deputy president, Tabo Mbeki, the son of Govan Mbeki, one of Mandela's original nine co-defendants. In June 1999, the ANC won handily the first elections under the new constitution, and Mbeki became state president.

Despite the relative ease of the political transition, the suffering caused by apartheid still lives in the memory of many South Africans. Economic wealth remains largely in the hands of the white minority, and vast inequalities persist in health care, education, and employment. These are legacies not only of the formal policies of the apartheid era but the much longer period of white supremacy that preceded it and will be harder to overcome.

Morton Winston

See also: Nelson Mandela; Nobel Peace Prize; Racism.

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Armed Forces

A country's armed forces—army, navy, air force, national guard—are supposed to be dedicated to protecting the citizens of that country. Unfortunately, all too often a country's armed forces are one of the main threats to the human rights of its people. It is the military, for example, that is responsible for propping up authoritarian and repressive governments. Without popular support, the only way these regimes can stay in power is with the help of tanks and bayonets. In many countries, the military is the government. In countries where human rights abuses are common, the military and the police are usually responsible. Even in democracies, the military and police, because of their monopoly of force, are still occasionally guilty of human rights abuses. And in wartime, of course, an invading army often commits human rights abuses in the areas in which it operates.

Some observers have pointed out that even in the most democratic of countries, the military is an institution whose very ethos is in conflict with the human rights tradition. The central human rights are life

Eight soldiers on trial for the November 16, 1989, murder of six priests and two women in El Salvador. Two were found guilty.

and liberty, whereas an army's central roles, some argue, are blind obedience and killing. A society that respects human rights allows its citizens to move about freely, speak out freely, and believe whatever they wish. An army demands that its soldiers go where they are told, speak only when spoken to, and never question the purpose of their orders. In a free society, people are supposed to think for themselves, whereas a soldier is supposed to follow orders. And if those orders are to torture or brutalize someone, a soldier usually obeys.

MILITARY DICTATORSHIPS

In some cases, armed forces support military dictatorships. These dictatorships are less common than they once were. Today, only a few dozen countries are directly controlled by their military. (However, many of these regimes would probably collapse without military support—such as China, North Korea, and Iraq.) In the not-so-distant past, military dictatorships dotted the world's political landscape. Chile, Argentina, Brazil, Bolivia, and Thailand all have had military regimes in their recent history. Today, Myanmar (Burma), Algeria, and Libya are among those countries controlled by the military.

A military dictatorship denies the central human right of people to pick their own government. Just as armies are not democratic in nature, military governments are the antitheses of democracy. Free speech, free assembly, free expression—all these basic freedoms are absent in a military dictatorship.

Military dictatorships are usually established in the name of stability, often in opposition to liberalizing regimes. Military officers tend to be more conservative than their civilian fellow citizens. When they see a regime moving toward the political left or embarking on what the military views as socialistic practices, the military may feel obliged to intervene. In both Chile and Iran, it was this fear of left-wing movements that led to military coups and the overthrow of democratically elected governments. In Chile, the military dictatorship that put General Augusto Pinochet in power lasted from 1973 to 1989; in Iran, the shah's military-backed regime lasted from 1953 to 1979. Both regimes repressed human rights on a massive scale, using methods that included murder and torture.

Some military dictatorships are more temporary and seem to be truly motivated by a desire, however misguided, to improve the situation in their country. In Turkey, the military took over the government for short periods of time in the 1980s and 1990s in attempts to prevent what it viewed as instability. In these cases, the military stepped down from power fairly quickly after reestablishing order. Some historians have argued that Turkey's military dictatorships helped stabilize the country during periods of turmoil and so were actually beneficial to long-term Turkish democracy; other observers argue that any military intervention, no matter how short, weakens respect for democracy and human rights.

If the effect of some military dictatorships on human rights is debatable, for others the ill effects are clear. Myanmar (formerly known as Burma) has been ruled by a repressive military dictatorship since 1962. A series of ruling juntas have kept democracy at bay using violence, torture, and fear. In 1990, a new military junta calling itself the State Law and Order Restoration Council (SLORC) took over the country. SLORC maintains power by shooting down unarmed demonstrators and imprisoning opposition leaders. For years, Aung San Suu

Kyi, Myanmar's most popular pro-democracy leader, was kept under house arrest by the military (becoming, in the process, the world's most famous prisoner of conscience). Released in 1995, she remains closely watched by the country's military leaders, who renamed their ruling committee the State Peace and Development Council (SPDC). The result of almost forty years of military rule in Myanmar are clear: respect for human rights is nonexistent; torture is common; free speech is curtailed.

CONCLUSION

Armed forces, which should be the people's defenders, are all too often its oppressors. In countries dominated by the military, it is usually that same military that is responsible for the bulk of human rights violations. Even in Western democracies, the armed forces are capable of egregious human rights violations (an infamous example being the My Lai Massacre committed by American troops during the Vietnam War, in which hundreds of Vietnamese men, women, and children, were slaughtered).

Carl Skutsch

See also: Aung San Suu Kyi; Conscientious Objection to Military Service; Humanitarian Intervention; Land Mines; Nuclear Weapons; War; War Crimes.

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Arms Trade

In the last decade of the twentieth century, and especially in the immediate aftermath of the Persian Gulf War in 1991, members of the international community became increasingly disturbed over the risks to regional and international peace and security posed by the growing and dangerously uncontrolled trade in conventional weapons and military technology.

The threat to human rights posed by the arms trade is clear. The widespread proliferation of weapons, particularly small arms, has put guns in the hands of men willing to kill the innocent on their road to power. Men, women, and children have their human right to life taken away because of the arms trade and its products.

In July 1991, representatives of China, France, the Soviet Union, the United Kingdom, and the United States met to discuss this issue and released a statement, now referred to as the "Big Five Initiative on Arms Transfer and Proliferation Restraints," that enumerated their concerns. It readily acknowledged that Article 51 of the United Nations Charter, by guaranteeing states the right of self-defense, also implies that states have the right to procure weapons that will give them adequate capability to do so, and that "the transfer of conventional weapons, conducted in a responsible manner, should contribute to the ability of states to meet their legitimate defense, security and national sovereignty requirements." But the representatives further recognized that indiscriminate, irresponsible, and uncontrolled conventional weapons transfers, including illicit arms trafficking, would almost surely aggravate the political instability that already existed in many developing nations and would impede their economic and social development. Proposals to help remedy the situation included setting up guidelines and voluntary restraints for countries engaged in exporting arms and encouraging the United Nations (UN) to move forward quickly to establish a register of conventional arms transfers.

The UN had already begun to do this, following a precedent set some sixty years earlier by the League of Nations, which had annually, from 1925 to 1938, published a statistical yearbook of the international trade in arms and ammunition. The UN describes the concept behind the arms register as *transparency,* because the register's purpose is to clarify the information on international arms transfers and make it readily accessible. The assumption was that open and accurate records of the arms acquisitions of others will enhance the confidence of individual nations in their own ability to defend themselves and avoid dangerous misconceptions about other nations' conventional weapons holdings.

In December 1991, the UN General Assembly passed the Transparency in Arms Resolution, and an eighteen-country panel of experts was appointed and charged with developing procedures to implement it. The resolution called for the UN to collect and publish standardized information on transfers of eight categories of conventional arms: tanks, armored combat vehicles, large artillery systems, combat aircraft, helicopters, warships, and missiles and missile launchers.

An arms fair in Santiago, Chile. Buyers come from around the world to purchase weapons, 1990.

The six major arms exporters—China, France, Germany, Russia, the United Kingdom, and the United States—were among the eighty countries submitting information for the first reporting year of 1993, and the number of reporting nations has since increased. Although participation is not mandatory, the establishment of the arms register has generally received widespread support as a tool to help reduce the volume of arms transfers and, by extension, some of the devastating consequences of those transfers. There have recently been calls for strengthening the arms register, either by making the submission of information mandatory or by broadening its scope. Among the possibilities for the latter are expanding the information to be submitted to include individual nations' weapons holdings or their weapons research and development programs.

Another possibility for broadening the register's scope is to add to the categories of reportable weapons, perhaps including small arms and land mines. Inclusion of these weapons would serve to increase the relevance of the arms register, especially in Africa and Latin America, where in many instances it is small arms, rather than the larger weapons covered by the register, that contribute to destabilizing conflicts.

Because of their immeasurably negative impact in regional conflicts around the world, the subject of small arms transfers has been addressed with increasing urgency in recent years. Calling for a mora-

torium on the world wide traffic in small arms, UN Secretary-General Kofi Annan pointed out in 1997 that "small arms—mostly assault rifles, grenade launchers, land mines, machine guns, and pistols—have been primarily responsible for much of the death and destruction in conflicts throughout the world."

It is widely recognized that the traffic in small arms diverts scarce financial resources in many developing countries from the economic and social development that is so vital for their citizens' well-being. In addition, the illicit small arms trade has burgeoned and contributes significantly to destructive activities such as drug trafficking and terrorism. In late 1999, the UN General Assembly drafted a resolution calling for a conference on illegal arms transfers to be held in 2001.

Several non-governmental organizations have also voiced serious concerns about the effects of small arms manufacture and transfers on basic human rights. In its 1998 report, "Arms Transfers, Humanitarian Assistance, and International Humanitarian Law," the International Committee of the Red Cross pointed out that the easy availability of technologically advanced small arms to large segments of the population contributes to high levels of civilian casualties in ethnic and racial conflicts and situations of civil strife. The report also refers to an increasing incidence of direct attacks on humanitarian relief workers and prevention of humanitarian efforts to relieve civilian suffering, attributing it to small arms proliferation. The report states: "When such weapons become available to broad segments of the population, including undisciplined groups, bandits, mentally insecure individuals and even children, the task of ensuring basic knowledge of humanitarian law among those in possession of such arms becomes difficult if not impossible. . . . The widespread availability of arms threatens to undermine the fabric of international humanitarian law—one of the principal means of protecting civilians in times of conflict." The report concludes with recommendations for raising international awareness of the cost in human lives of the small arms trade and with suggestions for controlling it.

James R. Lewis

See also: Conventional Weapons; Land Mines; Nuclear Weapons; War; War Crimes.

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Asylum

Asylum is a legal status that a government can grant to a political refugee from another country. People seeking asylum are usually fleeing political persecution and other threats to their human rights. Occasionally they are also be fleeing social discrimination or more serious social dangers. If a person is granted asylum it means he or she is free to stay in the host country and will not be forced to return to the home country.

Legally persons asking for asylum are citizens of their home country so the country considering their request for asylum has no legal obligation toward them. Nevertheless, there is a strong human rights tradition of offering asylum to persons being subjected to unjust persecution. Many countries also have laws that regulate the granting of asylum.

There are many strong rulings in international law that mandate the granting of asylum. The 1951 United Nations Convention on Refugees and the 1967 protocol to that convention oblige all signatories to grant protection to any individuals who, "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion," are afraid to return to their home country. Key to the Convention and its protocol is the requirement of signatories to practice *nonrefoulement* (non-return), which means that threatened refugees should not be forced to return to their countries of origin. The Convention on Refugees was passed by the United Nations General Assembly in part to avoid repeating the crimes of the 1930s, when Jewish asylum seekers, fleeing Nazi persecution, were turned away from many countries and forced to return to Europe, where many of them were eventually killed in concentration camps. The United Nations, however, has no way of forcing countries to follow its Convention on Refugees. Whatever compliance exists is voluntary, although moral pressure can help induce nations to grant asylum.

Kurdish and Turkish refugees seeking asylum in a French church. Christian churches have a long tradition of providing sanctuary to those in danger.

In spite of the pressure to grant asylum—particularly in view of the precedent of the Holocaust—governments are often reluctant to do so for three reasons. First, granting asylum sets an international precedent

that may backfire on the nation granting it. People considered criminals by their home country may win asylum elsewhere, allowing them to escape punishment.

Second, the country granting asylum almost inevitably alienates the country from which the asylum seeker is escaping. Sometimes this political fallout is unimportant—if the two countries already have poor relations, further exacerbating them does little harm—but when asylum is sought by a citizen of an allied or neutral nation, it can cause political difficulties. Even though there may be moral pressure to grant a person asylum, political realities suggest that the government that might be offended by doing so is more important than the single person who is seeking asylum.

Finally, there is often suspicion in the granting country that the asylum seeker is not really seeking asylum because of fear of political persecution but, rather, is seeking it to evade immigration restrictions. This suspicion most often exists when the asylum country is rich and the asylum seeker's country is poor. In this case, a government might believe that the asylum seeker is not fleeing from danger but is instead trying to seek economic advantage by starting a new life in a place where there are more opportunities. The recent wave of Haitian asylum seekers in the United States, for example, is believed by some to be caused by economics, not persecution.

ASYLUM IN PRACTICE

The problem of asylum is not merely theoretical. Wars, revolutions, and politically repressive regimes force people to leave their homelands and seek refuge elsewhere. In 1997, there were more than thirteen million refugees and asylum seekers around the world, a number that remained fairly steady for most of the decade.

Some countries are particularly popular destinations for asylum seekers. The United States is one such country. Its tradition of supporting human rights, albeit inconsistently, make it more likely than many other countries to grant asylum. Its political and military preeminence in the world make it relatively immune to fears of retribution from an asylum seeker's homeland. Finally, it is a country that many citizens of other countries view as a home to liberty. It is the United States, after all, that has the Statue of Liberty standing inside New York City's harbor, a statue whose inscription reads, in part, "Give me your tired, your poor, your huddled masses yearning to breathe free." Many past immigrants to the United States have been asylum seekers, whether or not they had that legal status. The Pilgrims, the Huguenots, Irish rebels, German revolutionaries, Cuban anti-communists, and Vietnamese boat people all came to the United States fleeing political persecution. Recent asylum seekers include Bosnian women escaping from Serbian rapists, Nigerian women fleeing genital mutilation, Congolese fleeing religious persecution, Brazilian homosexuals fleeing persecution based on their sexual orientation, and Chinese activists who have opposed their government's anti–human rights activities.

In recent years, there has been some fear that the United States is reducing its role as an asylum granter. Some organizations, like the Federation for American Immigration Reform, have worked hard to reduce the number of people granted asylum. In 1996, a belief that some asylum seekers were abusing the privilege of asylum led the U.S. Congress to pass the Illegal Immigration Reform and Immigrant Responsibility Act, which put restrictions on the granting of

asylum. In the early 1990s, more than a hundred thousand refugees were granted asylum each year; later in the decade, after the passing of the 1996 act, that number fell to 17,000. Treatment of asylum seekers has been criticized as overly harsh. The Immigration and Naturalization Service has the power to detain asylum seekers for months—in conditions that are often harsh and unpleasant—and has been unwilling to support many asylum claims. Critics of the slow-moving asylum-granting procedures include actress and activist Sigourney Weaver, who attacked the 1996 law as "unwise" and "mean-spirited" because it "inflicts asylum-by-ordeal on people who already have suffered enormously."

Other countries that have large numbers of asylum seekers include Germany, which has taken in many refugees fleeing war in Bosnia and Kosovo; Italy, which has temporarily accepted large numbers of Albanian refugees; and Liberia, which has had a huge influx of refugees from the war in Sierra Leone. All these countries have also been reluctant to continue allowing political asylum. In the early days of the Kosovo crisis, German authorities went so far as to hand over some Kosovar refugees directly over to the Serbian police, who then imprisoned and beat them before returning them to the dangers in Kosovo.

Although the United Nations has declared the right of asylum to be an essential human right, it is clear that many, if not most, peoples of the world have little hope of being granted it. Even countries that have traditionally opened their doors to refugees are today drastically cutting back on grants of asylum.

Carl Skutsch

See also: Exile and Deportation; Extradition; Female Genital Mutilation; Human Rights, Ethics, and Morality.

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Aung San Suu Kyi

Aung San Suu Kyi, one of the most respected democrats in Asia and the leader of Burma's struggle for democracy, was born in 1945 in Burma, which since 1989 has been called Myanmar. She is the daughter of Burma's national hero, General Aung San, who led the movement for independence from Britain in the 1940s. He was assassinated in 1947 on the eve of success and is today revered as the hero and father of the country.

Suu Kyi attended school in Burma, India, and England, where she met her husband, the late Michael Aris. For twenty years she raised her family while pursuing academic studies and working for the United Nations in England and other countries.

In 1988, Suu Kyi returned to Burma to attend to her sickly mother. While she was there, a mass uprising against the ruling military junta, the State Law and Order Restoration Council, broke out. The junta cracked down on the demonstrators, killing up to ten thousand people in the process. In response, several leaders approached Suu Kyi, asking her to form a democratic party in opposition to the junta. She agreed and became a member of the newly formed National League for Democracy (NLD). Because of her family history and her own po-

Protestors demanding freedom for Aung San Suu Kyi, who was being kept under house arrest, February 1993.

litical skills, Suu Kyi quickly vaulted to the forefront of the political scene. With Suu Kyi serving as general secretary, the NLD won an overwhelming victory in national elections held in 1990. The junta, however, annulled the results.

Suu Kyi was placed under house arrest from 1989 until 1995. Despite her release, she remains deprived of basic freedom of movement and forbidden to make public addresses, prompting observers to refer to her condition as "virtual house arrest." Suu Kyi constantly challenges the regime, attempting to travel to meet her party members and speak with the people. In the summer of 1998, the military blockaded a road leading to her party offices. Stuck in her car for thirteen days, Suu Kyi refused to return home even though she was denied food and medical care. Again in the summer of 2000, Suu Kyi was blockaded in her car for days by the military.

Suu Kyi's popularity among ordinary Burmese is immeasurable. Burmese secretly keep pictures of her in their homes and quietly circulate her writings through underground networks. They refer to her simply as "The Lady." In contrast, the tight clique of military generals controlling the country sharply criticizes her in state-controlled media, labeling her an "ax-handle," "traitor," and "tool of imperialism."

Internationally Suu Kyi has gained wide acclaim, and is often referred to as "Burma's Gandhi." Desmond Tutu, Vaclav Havel, and José Ramos Horta are counted among her most vocal supporters. She has gained worldwide respect among academics for her writing. In her most famous essay, "Freedom from Fear," Suu Kyi writes, "Within a system which denies the existence of basic human rights, fear tends to be the order of the day. Fear of imprisonment, fear of torture, fear of death? Yet even under the most crushing state machinery courage rises up again and again, for fear is not the natural state of civilized man."

Suu Kyi is the recipient of dozens of awards, honorary degrees, and honorary memberships. In 1990, she was awarded the Sakharov Prize for Freedom of Thought from the European Parliament, and in 1991, she received the prestigious Nobel Peace Prize. In his nominating speech, Havel stated, "She has refused to be bribed into silence by permanent exile. Under house arrest, she has lived in truth. She is an outstanding example of the power of the powerless."

Today Suu Kyi remains a human rights icon: abused, harassed, and ever unbowed.

Jeremy Woodrum

See also: Myanmar (Burma).

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Bahai

The Bahai faith developed from the Babi movement, a millenarian offshoot of Shi'ite Islam that originated in Persia in the mid-nineteenth century. In 1863, an exiled member of the Babi movement proclaimed himself to be "he whom God shall manifest" and took the title of Baha'ullah (the Glory of God). His followers believed him to be a prophet of God, the last in a long progression that included Moses, Jesus, and Mohammed. In 1868, the Ottoman Empire exiled Baha'ullah again, this time to Palestine, where he lived until his death in 1892, and from where he sent his missionaries throughout the Middle East to find converts to his new religion.

Baha'ullah was succeeded by his son, Abbas, known by the title Abdul-Baha' (Son of Glory); under his leadership, the Bahai religion expanded from the Middle East to the rest of the world. The third leader of the Bahai faith was Shoghi Effendi, grandson of the Abdul Bah'a. At the time of his death in 1957, Shoghi Effendi had not named a successor, and this situation led to the establishment of the Bahai community's present system of elective government, known as the Universal House of Justice.

The religion that developed under the leadership of Baha'ullah embraced the ideals of universal peace, constitutional government, and the rule of just laws. His son added to and further developed his father's teachings, maintaining that equality and universal human rights should be considered ultimate manifestations of the highest level of civilization to which humanity could strive.

These beliefs account for the dedication of the members of the Bahai faith to universal human rights. The Bahai International Community (BIC), as it is now formally known, has over 5 million members living in 13,000 organized local communities in over 235 countries and territories. Bahai representatives were present and issued a supporting statement when the United Nations Charter was signed in 1945, and since then the BIC has been actively involved with the United Nations in promoting human rights and working to achieve the goals of the charter. It has been registered as an international non-governmental organization since 1948 and has consultative status with the UN Economic and Social Council and the UN Children's Fund (UNICEF). It has also worked closely with other UN entities, including the World Health Organization, the Office of the High Commissioner for Human Rights, and the UN Development Fund for Women.

Over 1,600 Bahai communities in all parts of the world are involved in projects to help prevent drug abuse, promote sustainable development initiatives, advance the rights and status of women, and educate children. Bahai involvement in these projects coincides with the principles of universal human rights advocated by the Bahai faith.

Tragically, since the 1979 Islamic revolution in Iran, the Bahai community there has itself been subjected to persecution and the deprivation of its human rights. Iranian Bahais have been considered religious heretics

by the Iranian theocracy because the Bahai faith originally sprang from Shi'ite Islam and, Iranian Islamic religious leaders charge, has strayed from its orthodox teachings. There have been numerous instances of property being confiscated, and hundreds of Bahais have been killed, imprisoned, or forced to renounce their religion. The UN Commission on Human Rights has periodically addressed this situation, urging the Iranian government to cease its persecution of its Bahai citizens.

Donna J. Cook

See also: Freedom of Religion.

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Bioethics

Bioethics is the study of ethical issues connected with medical and biological research and practice. Bioethics is a relatively new discipline, which has developed in the last thirty years as a result of the massive advances in biological and medical science that took place in the twentieth century. Concerned scientists, philosophers, and ordinary people worry about the implications of such developments as cloning, genetically engineered crops and animals, and the use of human fetal tissue for research. Also included within the field of bioethics are other medical/ethical issues such as abortion, euthanasia, and the availability of health care. Many bioethical issues can be easily connected to human rights. Bioethics, like human rights, concerns itself, in part, with the dignity of people's lives.

One of the central issues for bioethicists is that of the right to life. If all humans have a right to life, do fetuses count as humans? If so, abortion is of questionable morality; if not, at what point do unborn children become human, with all the attached human rights? There is also the question of eu-

Dr. Teruhiko Wakayama, biologist, holding cloned mice in his hand, 1998.

thanasia—the humane putting to death of those for whom, it is thought, life has become too painful. Is it ever acceptable to allow another human being to be killed? What if the person in question has asked to be put to death humanely? Do they not have the human right to decide their own destiny? What if they have asked to be killed, but may not be of completely sound mind? Or what if they are unable to communicate their wishes, but are clearly suffering; is it then acceptable to euthanize them without their explicit permission? None of these are easily answerable questions.

Another bioethical issue concerns healthcare rationing. Do all people have an equal human right to the same medical care? If they do, then presumably anyone coming in with stomach pains should also get a complete battery of tests to rule out all possible diseases. Some of these tests are very expensive, however, and it would be impossible for a country's health care system to pay for all patients to get all the tests all the time. As a practical solution, therefore, those who can afford expensive health care usually get more tests than the poor and uninsured. In other words, health care is provided on the basis of the wealth of the recipients. But is this moral? Or is it a violation of the poor's human rights? Article 25 of the United Nations Universal Declaration of Human Rights (1948) seems to suggest so: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care."

On the cutting edge of bioethical discussions is the issue of bioengineered foods. Bioengineering alters the genetic makeup of plants and animals in an attempt to im-

The insurance for this badly burned patient covers only $50 a day of his medical expenses.

prove their value for food producers. Bioengineers hope to make crops that are more nutritious, fruit that spoils less quickly, and vegetables with a higher vitamin content. Human rights advocates worry that people are going to eat food that is undertested and possibly harmful, without ever being told that it has been genetically altered. Some activists have organized boycotts of companies that sell bioengineered foods. They have been countered by some scientists who claim that bioengineered food is perfectly safe. Britain's royal family has even joined the debate, with Prince Charles, a dedicated environmentalist, arguing that genetically engineered crops should not be used: "We need to rediscover a reverence for the natural world, irrespective of its usefulness to ourselves."

Fear of bioengineering is linked to another bioethical human rights issue, that of the environment. Critics of bioengineering unite with environmentalists in arguing that science and industry are altering the planet and that the result for the environment can only be bad. They argue that all people, and especially future generations, have a right to live in a world that is not dangerous to their health.

Finally there is the chilling question of germline manipulation. Germline manipulation is a kind of genetic engineering that could allow scientists to alter the nature of human genes and have those alterations passed down to the subject's offspring. In other words, it has the potential to change the nature of the human species. Is there a human right to keep humans human?

Carl Skutsch

See also: Environment; Right to Life; Universal Declaration of Human Rights.

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Cairo Declaration on Human Rights in Islam

Are human rights universal, or is the very concept of human rights a Western notion suitable only for Westerners? The international standard of human rights proclaimed by the United Nations General Assembly in 1948 declared that people have rights by their very nature. This Universal Declaration of Human Rights stated that "all human beings are born free and equal in dignity and rights." One of the most important challenges to the notion of universal human rights is best articulated in the Cairo Declaration on Human Rights in Islam. This declaration was issued in 1990, by the Organization of the Islamic Conference. Because all countries with Muslim majority populations belong to this organization, the Cairo Declaration is considered a significant indicator of the Islamic view of human rights.

The view put forth by the Cairo Declaration is significantly different from the international standard of human rights. The declaration stated that Islamic holy law (*shari'a*) takes precedence over human rights. Article 24 of the Cairo Declaration states that "all the rights and freedoms stipulated in this Declaration are subject to the Islamic *shari'a.*" The Cairo Declaration thus states that human rights are not really inalienable rights if they conflict with Islamic holy law. Many Muslims believe that the holy law came from God, and thus should take precedence over any laws made by humans. The divergence between universal standards of human rights and the Islamic view can be seen most easily in the Islamic view of women's rights and the right to free speech.

The first article of the Cairo Declaration reveals how the official view of the United Nations on women's rights differs from the Islamic view. Article 1 of the Cairo Declaration states that "all human beings are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, color, language, sex, religious belief, political affiliation, social status, or other considerations." Considered carefully, this article does not mention human rights at all, but only human dignity. This is very significant for women, because women's basic rights are ignored in some Islamic countries, while Muslims claim that women are treated with equal dignity. Thus, in some Islamic countries, women are deprived of basic rights such as the right to vote, to be educated, to have an equal opportunity to hold a job, or to move freely in public. In some Muslim countries, a woman may have no right to retain custody of her children if she is divorced, she may be arrested for disobeying her husband, and her testimony in court may not count equally with that of a man. Defenders of these laws say that women have a different role in life and so women's rights are different from men's, but they say women are treated with equal dignity because God has assigned them an equal but different role in life. These defenders say that the cohesion and strength of a society depend on each person accepting his or her proper role in life, and

they say Western societies lack moral cohesion because Westerners wrongly emphasize individual freedom over social well-being.

The Salman Rushdie controversy shows how the Western view of free speech differs from the Islamic view. In 1998, Rushdie, an Anglo-Indian author, wrote *The Satanic Verses,* a novel that featured a character modeled on the Prophet Mohammed. Some Muslim leaders called the book blasphemous, and the Ayatollah Rohollah Khomeini, the leader of Iran, issued an edict calling for Rushdie's assassination. Iranian religious leaders offered a reward of $6 million to the person who would kill him. The actions shocked many people who believed that Rushdie's right to free speech had been grossly violated. While many Muslim countries and the Cairo Declaration did not support the assassination of Rushdie, the Cairo Declaration did support censoring him. Article 22(a) of the Cairo Declaration states that a person may freely express his or her opinions as long as these opinions are not "contrary to the principles of the *shari'a.*" Article 22(c) bars speech that "may violate sanctities and the dignity of the Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith." Because of these restrictions, the Cairo Declaration denies free speech as a basic human right if such speech harms society as a whole.

Besides denying women's rights and the right to free speech, the Cairo Declaration does not guarantee the right to vote, freedom of religion, freedom of association (even to marry whomever one chooses), or freedom of the press. The Cairo Declaration thus does not guarantee basic human rights as understood in international law; it considers Islamic holy law as more important than these basic rights and disregards human rights if they conflict with current interpretations of Islamic holy law.

While the Cairo Declaration is an important statement of many Muslims' views on human rights, it is not the official or the only Islamic view of human rights. Islam, after all, has no one group or person with the authority to speak for it, as the Pope does for Roman Catholicism. Many individual Muslims do support universal human rights and argue that only fundamentalist Muslims do not see that human rights are consistent with Islam. Furthermore, some societies where Muslims are the majority, such as Turkey, do not agree that Islamic holy law supersedes human rights, and these societies consequently support the UN's view of universal human rights.

Joseph Waligor

See also: Cultural Relativism; Freedom of Expression; Universal Declaration of Human Rights.

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Capital Punishment

The state-sanctioned execution of prisoners, a practice as old as the state itself, thought barbaric by some and as necessary by others, lately has become an increasingly controversial rarity in the world.

Common historic methods of execution include beheading, boiling in water, burning at the stake, drawing and quartering, and, in the case of ancient Athens, compulsory suicide by the drinking of hemlock. Ancient Rome, often seeking to match punishments to crimes, burned arsonists, clubbed the writers of defamatory songs, hanged crop thieves, and buried alive "impure" vestal virgins. Romans who murdered family members were stuffed into sacks with wild animals and thrown into the sea, and special offenders against the state were punished by crucifixion or being eaten alive by ferocious animals.

Today, lethal injection, electrocution, hanging, gassing, and the firing squad are the current authorized methods of execution in the United States. Other countries use similar methods.

The application of capital punishment has narrowed over time to a small list of crimes such as murder, treason, or rape. Ancient Babylon's Code of Hammurabi cited twenty-five crimes that were punishable by death. The Athenian Draconian Laws of the seventh century B.C. mandated the execution of any criminal for any crime, and in the 1700s Britain, famous for the hanging of petty thieves, listed hundreds of crimes punishable by death.

In the nineteenth century, the trend was toward limiting capital punishment to murder cases, and not even all of those. In the twentieth century, a growing list of countries began to outlaw the practice entirely.

The practice of capital punishment has waxed and waned over the centuries, with cycles of reform succeeding, and being succeeded by, vigorous renewals of the use of execution. The Draconian Laws did not last, and the increasingly Christian empires of late Rome and Byzantium softened their death penalty codes. The Western European bourgeoisie of the 1600s through the 1800s increasingly found executions distasteful and sought to remove them from public view and to reduce their use in general. During the Progressive Era in the early 1900s in the United States, six states abolished the death penalty, but most of them reestablished capital punishment in a subsequent conservative backlash. Public revulsion caused a suspension of state killings by the 1960s, but a rightward shift in public sentiment in the 1970s created the current favorable climate for executions in the United States.

According to some academic analysts, this rise and fall in the popularity of executions can be traced to feelings of insecurity among rulers and the populace. Execution peaks in the United States can be correlated with times of social, economic, and political disruption. The economic crises of the 1930s witnessed America's heaviest use of capital punishment. In the subsequent prosperous decades, capital punishment declined, but the crime wave and social ferment that followed in the 1970s witnessed the resurgence of the popularity and use of this ancient practice. By 2000, following a period of prosperity and

Death chamber in Huntsville Prison, Texas. Texas executes more people than any other American state.

increasingly safe streets, the pendulum began to swing back. Support for the death penalty again decreased, as new types of evidence, such as genetic testing, emerged that showed that some people convicted of capital crimes were actually innocent.

The current worldwide trend is moving away from the use of the death penalty. Abolished in 106 nations since 1990, it is employed most widely by totalitarian nations, including the People's Republic of China, the Democratic Republic of the Congo, and Iran. Among the liberal democracies, there is one major exception to the trend away from the death penalty: the United States.

A series of international resolutions has underscored this consensus against executions. The 1948 Universal Declaration of Human Rights refers to a right to life, and several agreements of the 1950s and 1960s—the International Covenant on Civil and Political Rights, the European Convention on Civil and Political Rights, and the American Convention on Human Rights—had further cemented a growing disapproval of capital punishment. The Pope also favors abolishing the death penalty.

The United States, under increasing international condemnation, is now the scene of a growing debate over its continued use of the death penalty.

The effectiveness and humanity—or lack thereof—of capital punishment has been long debated. Italian criminologist Cesare Beccario argued against the deterrence the-

ory in the mid-eighteenth century, pointing out that the nations with wide use of the death penalty were also overrun by crime. Declaration of Independence signer Benjamin Rush argued that it had a brutalizing effect on the population, which spawned yet more crime. English philosopher John Stuart Mill weighed in on the opposing camp, contending before Parliament in the 1860s that the death penalty ought to be retained for murderers. Deterrence, he said, had yet to be truly discredited: "As for what is called the failure of the death penalty, who is able to judge of that?"

Deterrence—the use of the death penalty as a threat to prevent murders—remains the main argument of those who wish to continue the use of capital punishment, yet it remains unproved. There is no solid evidence that the death penalty acts as any greater deterrent than the threat of a life sentence in prison. Several studies suggest that the death penalty serves no purpose as a useful deterrent. The threat of spending the rest of one's life in prison is enough to stop most sane people from committing murder, and those who are not stopped by this extreme threat also do not seem to be deterred by the threat of execution.

Death penalty opponents also highlight the flawed practical applications of the penalty in the United States. It is employed, they say, randomly by a sloppy judicial system, disproportionately targeting the poor and minorities.

It is too easy to make a mistake in the application of the death penalty. Poor safeguards have meant that more than 15 percent of those sentenced to death eventually been found innocent. So far, no innocent person is believed to have been executed, but opponents argue that this is only a matter of time. This argument is strong: in March 2000, the pro–death penalty governor of Illinois, faced with multiple exonerations of people among his state's death row population, suspended executions.

The trend in the world continues to flow against the death penalty. It remains unclear whether the United States—where many still support the death penalty—will follow the worldwide trend or maintain its policies on capital punishment.

Miles Keefe

See also: Right to Life.

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Censorship

The term *censorship* is commonly used in a number of different ways. In its most classic form, it refers to the use of state power to prevent material from reaching the public. That is to say, it represents the application of a restriction even before the material has been published or broadcast. Censorship of this sort is sometimes referred to as "prior censorship" or "prior restraint," in contrast to post-publication sanctions. But it is also common to use the term *censorship* to refer to a much broader range of illegitimate restrictions on freedom of expression, including those that are applied after publication. For example, the London-based international human rights organization, the International Centre Against Censorship, includes within its mandate all restrictions that breach the international guarantee of freedom of expression.

PRIOR RESTRAINT

Censorship in the classic sense, as prior restraint or prevention of publication, takes a number of forms. Perhaps most notorious of these practices is a requirement that material, usually books and magazines, be submitted to a government censor before they are allowed to be published. While these practices have long been rejected in many countries, they still persist in others. In Jordan, for example, all books and imported publications must be submitted to the Press and Publications Department of the Ministry of Information for approval before being circulated within Jordan. Similar practices are common in other countries in the Middle East and elsewhere.

In many countries, films and videos must be submitted to a government body for classification before being released commercially. When this body has the power to refuse to classify a film or video, it is a form of prior restraint. In the United Kingdom, for example, films and videos must be submitted to the British Board of Film Classification, which has the power either to assign a classification or to refuse to classify. Such refusal may be based on various grounds, including obscenity and blasphemy. A video depicting Jesus on the cross was recently refused classification on grounds of blasphemy. Perhaps surprisingly, this decision was upheld on appeal to the European Court of Human Rights.

A more subtle, but even more common, form of prior restraint is the practice of court-ordered injunctions preventing the publication of material that is alleged to be defamatory or to be an invasion of privacy. In common law systems, these are known as *quia timet* injunctions and, despite a number of safeguards against their abuse, they continue to be applied. This form of action is more common in civil law systems, and it is not unknown for even established publications, such as *Der Speigel* in Germany, to appear with sections of pages completely blanked out because of a last-minute injunction.

Prior restraint is clearly an extreme form of restriction on freedom of expression, and for this reason it must be viewed with the greatest suspicion. It is expressly forbidden as an unacceptable limitation on freedom of expression pursuant to Article 13(2) of the Inter-American Convention on Human

Rights. While it has not been totally ruled out in Europe, the European Court of Human Rights has held that any system of prior restraints "call for the most careful scrutiny on the part of the Court."

INTERNATIONAL LAW AND CENSORSHIP

Restrictions of one sort or another on what may be said, published, or otherwise expressed exist in every country in the world. Whether these are characterized as legitimate restrictions on freedom of expression (to protect some public good, such as laws against child pornography) or seen as a form of censorship depends largely on whether they fall foul of a constitutional or international guarantee of freedom of expression. While guarantees of freedom of expression vary considerably in nature, in practice most establish some sort of test for assessing whether restrictions on freedom of expression are legitimate.

Article 19 of the International Covenant on Civil and Political Rights (ICCPR) is an important international standard by which to assess the legitimacy of restrictions on freedom of expression. It guarantees the right to freedom of opinion and expression, follows:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others;
   (b) For the protection of national security or of public order, or of public health or morals.

Both the language of this provision and international jurisprudence make it clear that any restrictions must meet a strict three-part test. This test, which has been confirmed by the UN Human Rights Commission, requires that any restriction must: (a) be provided for by law; (b) have the purpose of safeguarding one of the legitimate interests noted in Article 19(3); and (c) be necessary to achieve this goal.

It is clear that the proper approach to evaluating a particular restriction is not to balance the various interests involved but to ascertain whether the restriction meets the strict test elaborated above. For example, the European Court of Human Rights has held that in evaluating restrictions it is faced not with a choice between two conflicting principles but with a principle of freedom of expression that is subject to a number of exceptions that must be narrowly interpreted and face those tests or guidelines.

The first part of the test bans government action restricting freedom of expression that is not specifically provided for by law. Restrictions must be accessible and foreseeable, and "formulated with sufficient precision to enable the citizen to regulate his conduct." As a result, official measures that interfere with media freedom but are not specifically sanctioned by law, such as discretionary acts committed by the police

or security forces, offend freedom of expression guarantees. In the second part of the test, only measures that seek to promote legitimate interests are acceptable. The list of legitimate interests contained in Article 19(3) is exclusive. Measures restricting freedom of expression that have been motivated by other interests, even if these measures are specifically provided for by law, are illegitimate.

In the third part of the test, even measures that seek to achieve one of the legitimate goals must meet the requisite standard established by the term "necessity." Although absolute necessity is not required, a pressing social need must be demonstrated, the restriction must be proportionate to the legitimate aim pursued, and the reasons given to justify the restriction must be relevant and sufficient. These standards have been reiterated in a large number of cases. The government, in protecting legitimate interests, must restrict freedom of expression as little as possible. Thus vague or broadly defined restrictions, even if they satisfy the "prescribed by law" criterion, will generally be unacceptable because they go beyond what is strictly required to achieve the legitimate aim.

CENSORSHIP IN PRACTICE

There are four key areas where restrictions on freedom of expression have been challenged as illegitimate under national or international guarantees of freedom of expression. These areas include limits on the content of what may be published or broadcast; repressive regulatory rules; limits on the right to receive information held by public authorities; and financial restrictions used to censor indirectly.

In virtually all countries, there are restrictions on the content of what may be published or broadcast. Some, like slander, hate speech, contempt of court, or obscene materials, are almost universally accepted as legitimate targets to limit freedom of expression. In the area of defamation law (slander), for example, the traditional common law rule was that false statements were defamatory. Courts are increasingly accepting, however, that this standard is too restrictive and that even false statements on matters of public concern should not attract liability unless they were published when they were known to be false.

In the area of obscenity, there has been a move away from moral standards based on what the community finds unpleasant or offensive toward protecting citizens only against material that is actually harmful. The Supreme Court of Canada, for example, has held that the dominant test is "a standard of tolerance, not taste . . . not what Canadians think is right for themselves to see [but] what Canadians would [not] abide other Canadians seeing because it would be beyond the contemporary Canadian standard of tolerance to allow them to see it."

Other content restrictions, such as prohibitions on false news or on seditious material, are increasingly viewed as unacceptable in a democracy. They operate to prohibit speech that is critical of government and for this reason alone cannot be justified.

Key concerns in relation to the second issue, regulation of the media, are licensing requirements for newspapers and other periodicals, common in many parts of the world, and government control over broadcast regulatory bodies. In both cases, governments are effectively given an opportunity to use their power to inhibit or prevent critical voices. As a result, it is almost always

true that the guarantee of freedom of expression requires any regulatory bodies to be entirely independent of the government. Similarly, broadcasters funded by public monies should be responsible to an independent board, rather than directly to a government body. This enhances their independence from government and prevents them from simply becoming mouthpieces of the government.

Another important regulatory issue is whether government broadcasting monopolies can be justified. In one case before the European Court of Human Rights, Austria sought to justify a ban on private broadcasters by arguing that only public broadcasters could be balanced and independent, as required under the Austrian constitution. The court rejected these arguments, holding that the best guarantor of balance and independence was diversity. State broadcasting monopolies still exist in a number of countries, particularly in Africa, the Middle East, and Asia.

The third area where restrictions are being challenged as unjustifiable limitations on freedom of expression is in the area of freedom of information and secrecy laws. There is still some debate as to whether the guarantee of freedom of expression grants citizens a right to access information held by public authorities. However, the UN Special Rapporteur on Freedom of Opinion and Expression has taken a clear position on this issue, stating: "The Special Rapporteur expresses again his view, and emphasizes, that everyone has the right to seek, receive and impart information and that this imposes a positive obligation on States to ensure access to information, particularly with regard to information held by Government in all types of storage and retrieval systems—including film, microfiche, electronic capacities, video and photographs—subject only to such restrictions as referred to in Article 19, paragraph 3, of the International Covenant on Civil and Political Rights."

Many states still have no freedom of information laws, while in others, secrecy laws protect a range of material that goes far beyond any legitimate government secrecy interest.

In many countries, perhaps particularly in Eastern and Central Europe, governments abuse their financial power either to privilege or to harass certain media, depending on the attitude of the latter toward the government. One common means of exerting pressure on the media is through discrimination in the allocation of government advertising, often a large part of the advertising market in developing or transitional economies. In many countries, government exerts effective monopoly control over the printing or distribution of newspapers, which it can then abuse to the detriment of the independent press. A related issue is the use of punitive taxes against the independent or private media, historically referred to as taxes on knowledge.

CONCLUSION

Censorship is a term that can have a number of related meanings. It is perhaps most notorious in its most extreme form, as prior restraint, although in practice at least some forms of prior restraint still exist in most countries. Far more common, and equally problematic in practice, are the many milder forms of censorship through which critical voices may be effectively silenced. These include the relatively obvious approach of banning certain types of content, as well as

repressive regulation of the media and the use of indirect, or financial, censorship. Perhaps more controversial, though quickly becoming less so, is the idea of the guarantee of freedom of expression as placing a positive obligation on public authorities to grant broad access to the information they hold.

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See also: Freedom of Expression; Freedom of the Press.

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Child Abuse

If human rights are about defending those who cannot defend themselves, then children, the class of people who are by definition the most vulnerable, are those most in need of human rights protections.

These protections might not be necessary if children were not taken advantage of and abused around the world. In rich and poor societies, in Asia and America, and in the workplace and in the home, there is no place that children are safe from abuse.

Child abuse can take many forms. In the rich countries of the West, forced labor is almost nonexistent, but this is perhaps the most common form of abuse suffered by children in Asia. Similarly, slavery is a thing of the past for the West, but remains commonplace in parts of the world, particularly Ghana, Sudan, and Mauritania. And worldwide, including in the West, child abuse takes place where children should be safest: in their own homes. Perhaps the most disturbing form of child abuse is their use in several countries as soldiers.

CHILD SOLDIERS

Too many armies have discovered that children make excellent soldiers: They are too young to question their orders or to doubt that they should obey their superior officers. Human Rights Watch estimates that approximately 300,000 children serve as soldiers around the world. Guerrilla armies are particularly prone to use child soldiers. Children can be easily indoctrinated with a rebel ideology and then used as expendable and unquestioning troops. Guerrilla armies in Sierra Leone, Myanmar (formerly called Burma), and Sri Lanka are among those known to depend on child soldiers to support their cause.

The obvious abuse involved in forcing children to serve as soldiers is the threat and reality of physical harm. Children are wounded, maimed, and killed while fighting for causes they are unlikely to understand. But beyond physical harm, there is the mental scars that result from losing their innocence and being forced to kill. Rather than playing with toys, these children are taught to use machine guns and plant land mines. Even if they survive the war, their experiences leave them mentally vulnerable and make it difficult for them to adjust to a normal civilian world. An adult who serves as a soldier can maintain his perspective by looking back on his life before he carried a gun; a child soldier has nothing to look back on except a short, dangerous lifetime of being a soldier. As one journalist put it, they are children without a childhood.

In Sri Lanka, Renuka, a young girl who was forcibly enlisted in the guerrilla army of the Liberation Tigers of Tamil Eelam at age eleven, epitomizes this loss of childhood. In early September 2000, she lay in a hospital bed, covered with scars. Now thirteen, she had been wounded by mortar fire while defending a Tiger outpost. Her main fear was that her former comrades would be angry at her because she did not commit suicide. "They will threaten me and scold me and ask why I didn't take the cyanide."

In Uganda, the Lord's Resistance Army (LRA) is an extremist guerrilla group that

uses the kidnapping of children as its primary method of recruitment. Thousands of children have been kidnapped and brainwashed by LRA units during the past ten years. Many of those originally kidnapped go on to kidnap younger children, thus perpetuating the cycle of violence and abuse.

In Colombia, both guerrillas and government-backed paramilitary units use child soldiers in their campaigns against each other. This use of child soldiers leads to tragic consequences. In an October 2000 incident, seven young children on a school trip were killed by soldiers who mistook them for a band of child guerrillas.

The United Nations has repeatedly condemned using child soldiers, and human rights organizations have made the fight against using child soldiers a top priority, but the practice still continues.

ABUSE AT HOME

Possibly less physically dangerous but at least as psychologically damaging is the abuse of children that takes place in the home. This abuse takes two forms: physical abuse, sometimes done for the purpose of punishment, sometimes simply to satisfy a sadistic urge on the part of the abuser; and sexual abuse by an adult who is sexually aroused by children.

Physical punishment of children is widespread. Many cultures believe that beating a child is an effective means of enforcing discipline. There is little evidence that this

Children in Colombia draw pictures of their abusers on balloons and then pop them as a form of therapy, 1996.

is right and much evidence that physical abuse, no matter what the motivation, causes harm to a young child's psyche. More serious harm can occur when children are targeted for physical abuse simply to satisfy a twisted desire on the part of their abusers. This kind of abuse takes place most often in the home, and the abuser is almost always a parent, usually a father or stepfather.

Even more disturbing is the sexual abuse of children. Predatory adults take advantage of a child's vulnerability to rape or otherwise abuse them sexually. Children who suffer this kind of abuse are severely traumatized by the experience, and they usually go through the rest of their lives with scars. Rates of depression and suicide are much higher among those who suffered sexual abuse as a child. Perhaps most damaging is the fact that most abusers are members of the abused child's family: an uncle, a cousin, or often even a parent. It is not always the stranger offering candy that children have to fear; sometimes they have more to fear from the people living in their own home.

Abuse of a child's trust is universally despised by the rest of society, but society has not yet made the world safe for children.

Carl Skutsch

See also: Child Labor; Children; Slavery.

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Child Labor

According to the International Labor Organization (ILO), "child labor is where children are deprived of their childhood and futures because they are forced to work long hours for little or no money, deprived of education and in conditions harmful to their mental and physical development." An ILO report goes on to say that "child labor" is almost certainly the single most important source and form of child abuse and child exploitation in much of the world today." Child labor is "work carried out to the detriment of the child and in violation of international law and national legislation."

There are some 250 million working children between ages five and fourteen in developing countries, and around 120 million of them work full-time. Africa has the highest incidence of child workers as a percentage of the labor force, followed by Asia and Latin America. However, in absolute figures, Asia claims the highest number of child workers.

In the United States, an estimated 5.5 million youths between ages twelve and seventeen work. This does not include the large number of children under the age of twelve who are employed illegally. Child

Young Vietnamese girls making incense sticks. The work damages their lungs and bends their spines, as it has for the girl on the right, 1995.

labor also still exists in industrialized countries in southern Europe and has increased in central and Eastern Europe. Both Africa and Latin America have witnessed an increase in their numbers of child workers since 1980.

In terms of overall figures, the largest proportion of working children are between the ages of ten and fourteen. However, there is a sizable population under the age of ten. For example, in many rural areas children begin to work as early as five or six years old.

A common form of child labor involves a bondage or slavery system, which requires a child to work in order to pay off the debts of his or her family. Lenders often set up systems that make it almost impossible for families to repay their debts, and therefore keep them and their children "bonded" for life. Southern Asia is estimated to have some tens of millions of children involved in this form of child labor. Another form of child slavery is that of unpaid domestic work. Poor, desperate families sometimes believe their children will experience a higher quality of life working for a rich household than if they were to stay with their own families. While this may be true in some cases, the abusive treatment that many unpaid domestic servants receive is a human rights crime.

Another form of child labor centers on the commercial exploitation of children, which involves child prostitution, child pornography, and the trafficking of children for sexual purposes. According to the United Nations Special Rapporteur on the Sale of Children and Child Prostitution, the commercial exploitation of children is on the increase, with around one million children in Asia falling victim to the sex trade each year and with numbers increasing in Africa and Latin America. The commercial exploitation of children is also said to be on the increase in industrialized countries and Eastern Europe.

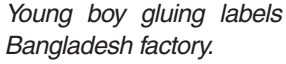
Children forced to work in the sex trade usually suffer both physical and psychological damage. Children are at risk of infection with HIV or other sexually transmitted diseases, and girls can face ealy pregnancy and maternal morality. Studies show that where children are forced to work in the production of pornographic material, they are often left so traumatized that they cannot return to a normal life. Many die before reaching adulthood.

According to the ILO, another typical form of child labor is the use of children in the production and trafficking of illicit drugs. Many children are involved in the production and cultivation of plants used to make narcotics.

The number of children involved in child labor in rural areas is normally double that in urban centers. The majority of these children are involved in agricultural work, in contrast to urban areas, where most children are involved in domestic service, the manufacturing sector, and in trades. In rural areas, some children, in particular girls, begin working between the ages of five and seven. Some sources show that in rural areas, as many as 20 percent of working children are between the ages of five and nine, in contrast to 5 percent in urban areas.

More boys than girls work—the ratio is about three boys to two girls. However, these statistics do not take into account the full-time use of girls doing housework in their parents' homes. If this full-time work were taken into account, the figures for girls and boys would be the same, or working girls could exceed the number of working boys.

In some cases, children have been found to work nine hours a day, seven days a



Young boy gluing labels on boxes of matches in a Bangladesh factory.

week, especially in rural areas. Whereas in urban areas—where work is usually paid—fewer children are found to work such long hours, and the majority work no more than six days a week.

Most children are paid much less than the normal pay rates, and girls are often paid less than boys are for doing the same work. Similarly, children very often do not receive payment for overtime.

The physical and psychological cost to working children can be extreme. Tens of millions of child workers suffer serious health consequences such as the loss of body parts, burns, cuts, respiratory problems, hearing and visual damage, skin diseases, and intestinal illnesses. And because of their physiological characteristics—their bodies are still growing—children may suffer skeletal damage and impaired growth. Again, surveys have shown that children are more vulnerable to psychological abuse, especially when they work as child prostitutes and domestic workers. Such children are deprived of affection and are physically, psychologically, and sexually abused.

James R. Lewis

See also: Child Pornography; Children; Slavery.

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Child Pornography

According to the United Nations Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution, and Child Pornography, "Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities, or any representation of the sexual parts of a child, the dominant characteristic of which is depiction for a sexual purpose."

However it is defined, most societies find the use of child pornography to be detestable. Child pornographers take what should be time a time of innocence and exploration—childhood—and turn it into a twisted commodity. In some ways, child pornography, along with the associated problem of child abuse, is one of the least forgivable forms of human rights abuse.

Child pornography can exist in many different forms. Visual child pornography is the most common, meaning the visual depiction of a child engaged in explicit sexual activity, real or simulated, or the lewd exhibition of their genitals. Audio child pornography is the use of any audio devices using a child's voice, real or simulated, intended for the sexual gratification of the user. Child pornography can also be simple text that describes sexual acts involving children intended to provide sexual gratification.

LEGAL PROTECTION

Children are entitled to protection from being used in child pornography. Under Article 34 of the Convention on the Rights of the Child, a Convention that all but two states in the world have ratified, states that all signing parties undertake to protect children from all forms of sexual exploitation and sexual abuse, and to take all appropriate measures to prevent "the exploitative use of children in pornographic performances and materials."

Using children for pornography is a severe form of child sexual exploitation. Since children have no contractual capacity and have limited access to knowledge and experience, they cannot be meaningfully held to have consented to the making of the images or to have entered into any form of legal contract with the pornographer.

Apart from the direct exploitation that occurs in making child pornography, there is also reason for concern about the use of child pornography to seduce children. Child abusers show child pornography to children as part of the grooming process to lower the child's inhibitions and induce them into participating in sexual activities.

Most countries in the world have laws which can be used to fight child pornography. Many rely on general obscenity laws. Among matters related to pornography that are commonly criminalized are possessing, stocking, selling, distributing, exporting, importing, intent to distribute, intent to depict or encourage child abuse, supplying, or aiding or abetting any of the above. Whether or not payment was made can be important in some jurisdictions but not in others. The proliferation of child pornography in recent years, especially over the Internet, has caused many governments to revise their laws and to provide for the specific prohibi-

tion of pornography in which the subject of the pornography is, or appears to be, a child. In some countries, such as Italy, Internet-specific laws dealing with child pornography have been introduced.

Many countries now prohibit the mere possession of child pornography. The debate on whether to criminalize the possession of child pornography is often seen as a conflict between freedom of expression and children's rights. In Sweden, the introduction of a law criminalizing the possession of child pornography required a change in the constitution. In fact there should be no real conflict in this regard, as freedom of expression is not an absolute right and is usually constrained by the law of defamation and other public policy considerations, including child protection.

THE NATURE OF PORNOGRAPHY

Until recently, pornographic photos and videos of children always provided evidence that child sexual abuse had occurred. But the use of computers enables the creation of child pornography without actually abusing a real child; such computer-generated child pornography is called "pseudo-pornography."

Child pornography is linked to physical and sexual abuse in the home and in institutions, and to the trafficking of children and to child sex tourism. Many abusers record their exploits and then share the images with their friends or with other abusers. This is especially easy to do over the Internet.

Most child pornography is produced in a cottage industry by child abusers themselves. They record their own abuse of children or train children they are abusing to pose or act out scenes. Photos of child abuse sometimes come in numbered series to facilitate identification and collection. Collectors try to fill in series of photographs. Photos can also be part of a narrative, with each new photo advancing the story.

Child pornography helps abusers to rationalize their desire for children. The ease with which the images are shared over the Internet encourages "normalization" of their desires. Some offenders began to abuse children only after being exposed to child pornography. Often the children are made to smile and look compliant, as if they are enjoying the experience, thus further increasing the "normalization" process.

Abusers often use the fact that they possess the pornographic images of their victims to blackmail the children into keeping silent about the abuse.

There was a theory put foward in the 1970s that child pornography acted as a safety valve, allowing pedophiles to indulge their fetish without abusing children. That theory has been discredited by the British expert on pedophile behavior Ray Wyre. First, the child in the pornographic image has been abused, and there can be no justification for using that abuse to avoid a subsequent abuse. Second, pedophiles use child pornography to validate their feelings, to allow them to feel normal. In that way it lowers their inhibitions about going out and abusing children, rather than preventing them from doing so. "If a man buys child pornography he does so for one reason and one reason alone. The reason is that he wants to have sex with children. The fact that he may not have done so is more likely to be a question of availability or the fear of getting caught than revulsion at the very concept," according to Wyre.

Child pornography has adverse long-term consequences for the child involved. Children who have been used in pornogra-

phy demonstrate a multitude of symptoms including emotional withdrawal, antisocial behavior, mood swings, depression, fear, and anxiety. They are at high risk of later becoming perpetrators themselves. They not only suffer the consequences of the physical sexual abuse, but they also live with the knowledge that the images made from the abuse are available in the public domain. When the images are circulated via the Internet they remain available.

COMBATTING CHILD PORNOGRAPHY

Proliferation of child pornography is difficult to control because of the new methods of distribution via the Internet. Countries differ on their definitions of children, on what child pornography is, on what forms it can take, and on whether an overt act—or merely an intention—is needed for prosecution. Countries also differ on whether mere possession is a crime and whether a real child has to be involved.

Without harmonization of laws among the numerous jurisdictions through which such pornography can pass, offenders can seek shelter in jurisdictions with limited legislation. Offenders can also take advantage of the law enforcement problems inherent in transnational investigations.

Despite the existing jurisdictional problems, there have been many examples of successful international cooperation between law enforcement officers in recent years. In 1996, an international child pornography ring named "The Orchid Club" was broken by the police in San José, California. Involving individuals from as far away as Finland, Australia, the United Kingdom, and Canada, the Orchid Club case appears to be the first prosecuted case in which pictures of a child being molested were transmitted in real time using videoconferencing software.

In 1998, police in Britain raiding the house of a man involved in the Orchid Club routinely impounded his computer equipment. On analysis, they found evidence of another pedophile ring, "The Wonderland Club." On September 1, 1998, more than 100 people were arrested in 12 countries and more than 100,000 pornographic images of children were found.

Public concern over the proliferation of child pornography on the Internet has manifested itself in the establishment of hotlines in a number of countries for reporting offensive sites and material. Hotlines provide the public with advice on how to pursue a complaint and can pass information to relevant law enforcement agencies or to other hotlines. In some countries, the Internet Service Providers themselves are taking action by agreeing to enforce codes of conduct for dealing with child pornography and other offensive material or by setting up hotlines to which the public can report such material. In Europe, hotlines are cooperating with one another through an association called INHOPE.

For improved law enforcement, the intelligence services of some countries maintain a database of child pornography images. The database allows for fast identification of old and new images and thus speeds up a criminal investigation. Research into images appearing on the Internet being carried out at University College, Cork, Ireland, indicates that the age of children appearing in new child pornography is falling. The typical age range of children in pornographic photographs tends to be seven to eleven years, but new pictures are emerging that show children who appear to be under the

age of five. Some of the pictures are said to have very troublesome sadistic aspects.

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See also: Child Labor; Children.

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Children

Although human rights are vital to every person in the world, but they have only gained formal recognition very recently. This is especially true for children's rights. Following the establishment of the United Nations in 1945 there has been an explosion in the number of international treaties and conventions—along with the bodies responsible for the monitoring of their implementation—that enshrine a myriad of human rights. The result is that, in theory at least, everyone should have his or her basic human rights protected, wherever they live.

As well as sharing the same human rights as adults under all general human rights treaties, children also have their own specialized rights and treaties covering children's rights that have been developed along with the wider evolution of human rights. The perceived need to provide groups, such as children, women, and minorities, with rights reflecting their particular needs has triggered the United Nations and other organizations to draft several specialized treaties and conventions for them. The United Nations Convention on the Rights of the Child—arguably the most important human rights document written specifically for children—is based on the idea that children, because of their vulnerability, deserve special recognition and rights.

This idea that children deserved special rights emerged in the early twentieth century. In 1919, after World War II, the International Labor Organization became the first intergovernmental organization to recognize children's rights. Soon after, Eglantyne Jebb, an English woman, founded the organization Save the Children and brought about the first general international declaration of children's rights. In 1923, she published a five-point statement on the rights of children. Known as the Declaration of Geneva, it was adopted by the League of Nations the following year. In 1948, the United Nations expanded the Declaration of Geneva to seven points. In 1949, children appear in the general category of the victims of war in the Geneva Convention, and as a targeted category in the two protocols of the Geneva Conventions of 1977.

In 1959, the United Nations proclaimed the Declaration of the Rights of the Child, which contained ten statements on the rights of children. This declaration concentrated on a child's right to be protected, and made several key advances in the development of children's rights. For example, it recognized the right of a child to have a name and nationality and the right to be protected from discrimination.

THE UNITED NATIONS CONVENTION THE RIGHTS OF THE CHILD

More serious international interest in children's rights emerged in the 1980s in discussions that led to the United Nations Convention on the Rights of the Child (CRC). This Convention has been described as a watershed in the history of children's rights. After a ten-year drafting process, it was adopted by the United Nations General Assembly in 1989, and came into force on September 2, 1990 after

being ratified by twenty nations. Since 1990, only two countries, Somalia and the United States have yet to ratify the CRC. Somalia has virtually no functioning government. The United States has not signed the document largely because some lawmakers believe that, no matter how good the cause, the United States should not be restricted or bound by certain international regulations.

The CRC has enshrined four broad general principles, which are mainly laid out in Articles 2, 3, 6, and 12.

Article 2 is dedicated to the idea of nondiscrimination. Governments undertake to ensure that no child suffers discrimination "irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status." The message of Article 2 is one of equality, that all children—male or female, refugees of foreign or minority origin, with disabilities or without—should enjoy the same opportunities and standards of living.

Article 3 defends the "Best Interests of the Child." When government authorities make decisions that affect children, the best interest of children must always be paramount. Therefore decisions by courts, social-welfare institutions, and legislative bodies should always have the best interests of the child at the forefront of their decision-making process.

Article 6 defends the right to life, survival, and development. Development is interpreted in the broadest sense, referring to

Boy living on the streets in Colombia. He holds a tube of glue for getting high, and the wound in his stomach is infected, 1990.

children's physical, mental, emotional, cognitive, social and cultural development.

Article 12 protects the views of the child and the fundamental idea that all children have the right to have their views heard and taken seriously, including during any judicial or administrative proceedings against them. They should be free to have opinions on all things affecting them and those opinions should be given due consideration, "in accordance with the age and maturity of the child."

Implementation of the Convention is overseen by the Committee on the Rights of the Child, which the CRC established under Article 43. This committee is responsible for "examining the progress made by States Parties in achieving the realization of the obligations undertaken in the Convention." The committee consists of ten elected members and meets for two to three weeks three times a year in January, April, and September to discuss government reports. The committee itself reports to the United Nations General Assembly every two years. Once a country has ratified the CRC it is expected to present an implementation report within two years, and thereafter a report must be submitted to the committee for consideration every five years.

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See also: Child Labor; Child Pornography.

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Conscientious Objection to Military Service

Conscientious objection to military service is defined as the refusal by an individual to participate in war or the preparation for war because to do so would violate that individual's moral, ethical, or religious beliefs. In essence, conscientious objection is the human right not to kill.

The concept has a long history and developed initially from pacifist principles advocated by several of the world's major religions. Buddhism, for example, endorsed non-violence and non-resistance to force, and early Christian doctrine taught that the taking of any human life was evil. As it grew to become the dominant and state-sanctioned religion in Europe during the fourth and fifth centuries A.D., Christianity began to espouse the distinction between just and unjust wars as a rationale for the necessity of Christians sometimes participating in the killing of other human beings. Nevertheless, throughout the Middle Ages and into the modern period, there have been Christian groups, such as the Anabaptists, the Mennonites, and the Quakers (the "peace churches"), who have adhered to the earliest Christian prohibitions against killing, and whose members have therefore refused to participate in armed conflicts.

Beginning in the nineteenth century, with the advent of modern nation-states, standing armies, and the concept of military conscription, conscientious objection began to lose its exclusively religious nature and to take on a more secular and political one. During World War I and World War II, governments have had to deal with increasingly complex legal and ethical questions concerning the right of their citizens to refuse to participate in state-sanctioned killing.

Do individuals have this right to refuse, and if so, is it absolute? What are the criteria for determining the legitimacy and sincerity of an individual's conscientious objection? Should objectors be required to perform alternative service, what form should this service take, and for how long should it be required? Conscientious objectors, in turn, have had to decide if their scruples require them to reject not only a combat role in the military, but any alternative service as well, if it could be construed to be in support of a military or war effort.

Often the question of conscientious objection can be even more specific. In the United States during the Vietnam War era, many individuals claimed selective conscientious objection to that war, but not necessarily to all wars.

Because of the increasingly complex nature of the questions surrounding conscientious objection to military service, it is not surprising that there has been a lack of consistency in how individual countries have dealt with objectors. During World War I, for example, most of the European countries involved did not recognize a legal right to conscientious objection and treated harshly their citizens who claimed objector status. Austria-Hungary and Germany committed objectors to mental institutions; France shot them as deserters or sentenced them to long terms in prison.

The United States and Great Britain recognized conscientious objection as a legal right, but both nations allowed only a narrow definition based on membership in one of the traditional *peace churches*, such as the Quakers or Mennonites, and objector status exempted the individual only from bearing arms, not from serving in the military.

By the outbreak of World War II, the British legal system not only recognized the right to conscientious objection based on religious, philosophical, or political grounds, it also recognized an individual's right to refuse to perform any alternative service. In the United States, the law still required that objector status be based only on religious training or belief, although membership in one of the peace churches was no longer required. Alternative service was mandated, either in a non-combatant military capacity or in the civilian arena. In World War II Germany, the treatment of objectors remained harsh: they were incarcerated in concentration camps or mental institutions, or else they were executed.

After World War II, both Great Britain and the United States expanded and elaborated their definitions of conscientious objection until military conscription was discontinued, in 1963 and 1973, respectively. The Federal Republic of West Germany included conscientious objection as a right of citizens in its 1949 constitution.

In the early 1970s, the United Nations Commission on Human Rights began a discussion of conscientious objection to military service, with the debate centering

Students protest against military service in South Africa. Some of these young people wished to avoid supporting apartheid, April 1989.

on whether it was indeed a basic and universal human right and, if so, how it should be defined. This body requested and received an overview report from the United Nations secretary-general, but the matter was dropped until 1980. In that year, the Commission delegated to its Sub-Commission on Prevention of Discrimination and Protection of Minorities the responsibility of preparing a report on the status of the right of conscientious objection in member nations.

This report, prepared and submitted in 1983 by two sub-commission members, Asbjorn Eide of Norway and Chama Mubanga-Chipoya of Zambia, was based on information received from 152 countries and various non-governmental organizations. As expected, there was wide variance in policies and actual practices concerning the definition of conscientious objection and whether it was a valid right, as well as in the treatment of objectors and the requirements for alternative service. The report concluded with six recommendations, which the Special Rapporteurs suggested be adopted in the form of a resolution by the Commission on Human Rights. These recommendations included legal recognition of the right to conscientious objection by member states, the establishment of independent panels for determining the validity of objections, and the provision of alternative service.

Although this report was forwarded to the Commission on Human Rights, it was not until 1989 that it passed its first resolution calling for recognition of conscientious objection to military service as a universal human right. In 1993, the Commission adopted a stronger resolution and requested that the secretary-general provide updated information on the status of conscientious objection in member nations. After receiving this, the Commission issued Resolution 1995/83, which unequivocally states "the right of everyone to have conscientious objections to military service as a legitimate exercise of the right to freedom of thought, conscience and religion, as laid down in Article 18 of the Universal Declaration of Human Rights, as well as Article 18 of the International Covenant on Civil and Political Rights."

The right not to kill is now enshrined in international law.

Donna J. Cook

See also: War.

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Conventional Weapons

In the second half of the nineteenth century, the international community began to convert the accepted and customary laws of warfare into written treaties, with the intent of codifying the parameters of acceptable weapons and practices allowed in the pursuit of war. This was the beginning of the establishment of contemporary international humanitarian law. The underlying principles of such law are that military objectives should be attained with the least amount of human suffering possible and that the human rights of combatants and civilian populations must be respected. Throughout these years, numerous treaties and international conventions have addressed the weapons and practices of war in relation to the amount of suffering they cause. Some of these weapons and practices have been declared unacceptable.

In 1868, for example, the St. Petersburg Declaration, which prohibited the use of exploding or incendiary bullets under a certain size, asserted that "the only legitimate object . . . during war is to weaken the military force of the enemy," and to do this "it is sufficient to disable the greatest possible number of men." Therefore, it would be immoral and "contrary to the laws of humanity" to employ "arms which uselessly aggravate the sufferings of disabled men, or render their death inevitable." Later treaties, including the Geneva Convention and the Hague Peace Treaties of 1899 and 1907, added further to standards concerning acceptable practices in warfare, banning weapons that caused "unnecessary suffering" or "superfluous injury."

After World War II, the body of international law covering war was rewritten to take into account many of the then-current practices of conducting war. The result was four Geneva Conventions, embodying the principles of internationally accepted humanitarian law as it applies to combatants, prisoners of war, and affected civilian populations. In 1968, the International Conference on Human Rights in Tehran recommended to the United Nations General Assembly that it was again time to consider further revisions and updating. Four years later, the final report of the Conference further recommended that certain military practices and weapons, including napalm and other incendiary items, should be prohibited for causing excessive and unnecessary suffering in relation to their value in achieving military objectives.

The report again called for revisions to the Geneva Conventions, and in 1977, after several years of work, two protocols were added to the Conventions, the first dealing with the humanitarian treatment and protection of basic rights of persons in international armed conflicts, and the second of those in internal conflicts. The Diplomatic Conference in Geneva that adopted these additional protocols also recommended to the UN that an additional conference be called to examine the Teheran Conference's concerns about conventional weapons that caused excessive injuries.

That Conference was held in 1979 and 1980 and resulted in the Convention on Prohibitions or Restrictions on the Use of

Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, and protocols, which were first enforced in 1983. The opening paragraphs of this Convention refer to the already existing principles of humanitarian law that it seeks to strengthen: "the principle of international law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, and . . . the principle that prohibits the employment in armed conflicts of weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering," and "that it is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment." The three protocols prohibit or restrict the use of specific weapons: Protocol I, weapons whose effect is to injure by fragments that are undetectable by x-ray in the human body; Protocol II, mines, booby-traps, and other devices; and Protocol III, incendiary weapons.

In 1996, a review conference on the Convention was held, and dissatisfaction was expressed with Protocol II's treatment of land mines. These weapons were being employed in many of the armed conflicts around the world and were causing widespread injuries and deaths, especially among civilian populations. Although no consensus was reached, another conference called later that same year in Ottawa, Canada, saw the beginning of intense negotiations on formulating a convention that specifically banned anti-personnel land mines. In December 1997, the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction was signed.

Finally, in response to increasing concerns about indiscriminate and uncontrolled conventional weapons transfers, including illicit arms trafficking, that have the effect of contributing to political instability in many developing nations, the UN in 1991 established a register of conventional weapons transfers. The purpose of this register is to clarify information on international arms transfers and make it accessible to all nations, the assumption being that access to the records of the arms acquisitions of other nations will enhance the confidence of individual nations in their own capability to defend themselves and help avoid misconceptions about other nations' conventional weapons holdings. The register has been successful, and there have been calls for strengthening and expanding its provisions.

Treaties restricting the use of conventional weapons have not ended war's horrors, but they have reduced them somewhat, which is in itself a human rights achievement.

James R. Lewis

See also: Arms Trade; Land Mines; Nuclear Weapons; War.

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Crime

Often human rights issues are concerned with what governments do, or should not be allowed to do, to their citizens. When discussing crime in the context of human rights, this is reversed: crime usually becomes a human rights issue when governments do not do enough to prevent it.

The United Nations Universal Declaration of Human Rights (1948) states in Article 3 that "everyone has the right to life, liberty and the security, of person," while Article 28 adds that "everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized." Together they suggest that all people have the human right to live safely and securely in a well-ordered society.

Obviously not all people are free from the fear or possibility of crime. It is an impossibility that governments could prevent all crime; to do so, they would have to legislate a change in human nature. But it is possible that governments could do more to prevent crime than they are currently doing, particularly for some people.

One of the more blatant inequities of crime is who suffers from it. Although it may seem that the rich have more to fear from crime because they have more to lose, it is usually the poor who are more at risk. Two reasons explain this. First, there is a direct correlation between poverty and crime; this is not to say that all poor people commit crimes, but that the poor and desperate are more likely to be tempted to commit a crime. The crimes committed by the poor are also more visible; the rich criminal might embezzle or cheat on his taxes, but the poor criminal can only mug or rob. Second, because people with more money tend to have more political influence, the police and courts often provide more of an effort to protect rich neighborhoods than poor ones. When this happens, the human rights of the poor are being violated.

That the rich are favored by police seems obvious to many. Reacting to the well-publicized murder of Karen Toshima, a young woman from a wealthy Los Angeles neighborhood, dozens of police were assigned to the case, but similar murders taking place in gang-infested South-Central Los Angeles received much less attention. Anthony Essex, leader of the National Association for the Advancement of Colored People, concluded that "the more exclusive areas of this city get a more responsive treatment. That's not a perception. That's the reality." And a local politician added, "Why can't we get this response in South-Central, where lives are lost every week?" The answer is money, resources, and power.

The situation is much worse in countries with a greater disparity between rich and poor. A recent World Bank study of more than fifty countries found a clear relationship between income inequality and higher homicide rates. In the United States, with a reasonably efficient police force and a comparatively low ratio between rich and poor, the different treatment that rich and poor neighborhoods receive is still striking. In countries like Brazil and South Africa, where the very wealthy live in isolation, surrounded by seas of poverty, the difference in police activity between rich and poor neighborhoods is stark. A black South African in the

slums of Soweto is surprised to see a police patrol on his street; a white South African in the upscale Johannesburg suburb of Sandton would be surprised not to see one.

A key contributing factor to increased violent crime rates is the widespread availability of guns. During the last fifty years, small-scale wars have been commonplace, and as a result, weapons, particularly small arms, are easily available in many parts of the world. This is less true for the industrialized world with its better police and better border patrols. The United States is an exception, of course. The Second Amendment to the United States Constitution guarantees all Americans the right to bear arms, and many Americans passionately resist any limitations on this right. Opposition to gun control in the United States has resulted in the wide distribution of both handguns and automatic weapons. It is no coincidence that the United States also has the highest per capita murder rate among industrialized countries.

Carl Skutsch

See also: Domestic Violence; Police and Law Enforcement; Prisons; Victims' Rights.

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Crimes Against Humanity

Although the principles on which it is based are much older, the concept of crimes against humanity was first formulated during the 1907 Hague Convention, which marked out the allowed behavior in wartime. Some military actions were considered to go against the laws of humanity.

The first major use of this concept of crimes against humanity came at the Nuremberg War Crimes trials, which took place in Nuremberg, Germany, from 1945 to 1947. There had been earlier efforts to develop such a notion. In particular, following World War I, a commission that was set up in connection with the Treaty of Versailles to investigate war crimes accused certain Turkish authorities of "crimes against the laws of humanity" for murdering Armenians during the war. This effort to extend the notion of war crimes to include such activities was opposed, among others, by the United States. By the end of the World War II, however, the United States had become one of the chief supporters of the new category.

Crimes against humanity are both narrower and broader in scope than war crimes. By definition, war crimes—a charge that was also leveled by the International Military Tribunal against leading Nazis—can only take place during time of war. Furthermore, war crimes refer to crimes committed against the soldiers and civilians of foreign nations. The Nazis, however, had brutally murdered sectors of its own population, particularly Jews and Roma (Gypsies), both during and before the war. The notion of crimes against humanity, which encompasses such acts, is broader than war crimes. This idea is, however, narrower in scope in that it applies only to premeditated, large-scale crimes. A single soldier might murder a single civilian and thereby be guilty of a war crime, but an action limited to a single person attacking another person would not be regarded as a crime against humanity, no matter how heinous.

While the category of crimes against humanity overlaps genocide, genocide, as defined in the Genocide Convention of 1948, stipulates that the intention of perpetrators must be to destroy any specific group, in whole or in part. By contrast, crimes against humanity encompass lesser acts of widespread or systematic crimes against a target group that fall short of the intent to completely exterminate the group—an example of such a crime would be the use of mass rape, such as those carried out by Serbian troops during the Bosnian conflict.

The charter of the International Military Tribunal defined crimes against humanity in Article 6(c): "Crimes Against Humanity: namely, murder, extermination, enslavement, deportation and other inhuman acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated."

Since the Nuremberg War Crimes trials, the category of crimes against humanity has been incorporated into the statutes of the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Tribunal for the Former Yugoslavia (ICTY),

and the International Criminal Court (ICC). The category has also been expanded in both the ICTR and the ICTY to include torture and rape, and in the ICC statute, such specific crimes as apartheid and enforced disappearances.

At the time of the Nuremberg trials, crimes against humanity and the similarly innovative crimes against peace (the crime of waging an aggressive war) evoked much criticism. To many observers, it appeared to be victors' revenge against the vanquished, cloaked in the legitimating mantle of international law. The charge of crimes against humanity, in particular, seemed an attempt to enforce a principle that was not part of international law prior to the World War II. Despite these objections, the impact of the postwar tribunal was to firmly establish the idea of crimes against humanity as a part of international law, an important step between the older notion of war crimes and the modern notion of human rights violations.

James R. Lewis

See also: Apartheid; Disappearances; Genocide; War Crimes.

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Cultural Relativism

Cultural relativism is the notion that values and mores are not universal but are instead completely determined by culture. This position, popularized by an earlier generation of Western anthropologists, stands in contrast to more traditional perspectives that root values in transcendent sources of meaning or in the universal experience of the human condition.

In the human rights arena, there is general agreement that human rights are universal. At the same time, most parties to the human rights discussion would be willing to acknowledge some variability between societies. Thus disagreements over the universality or relativity of human rights have tended to be confined to debates over human rights that bear on a limited domain of specific cultural practices.

Because most such disagreements have arisen in the context of critiques of non-Western societies by Western human rights advocates, the question has arisen as to whether the points at issue really revolve around human rights, or whether Western chauvinists are actually engaged in an effort to supplant non-Western societies' traditional values with Western values. In response, human rights activists have tended to question the sincerity of such analyses, implying that the concerns being expressed about Western cultural imperialism are little more than self-serving smokescreens put forward to divert criticism away from oppressive social arrangements.

To give an example, the issue of women in conservative Muslim countries inspires this kind of human rights debate. Western human rights activists argue that women in Islamic cultures are denied many of their human rights, including their right to function as autonomous individuals. Some Muslims respond that Islam defines certain roles for women and that to protest against these roles denies the cultural rights of Islamic states. The issue of "female circumcision," called by human rights activists "female genital mutilation," involves another such debate.

As part of this ongoing discussion, it has frequently been pointed out that the West in general, and the United States in particular, are quick to call attention to alleged human rights violations if it serves Western interests, but is slow to do so when it does not serve these interests. Furthermore, although the United States likes to portray itself as the global champion of human rights, its own human rights record leaves much to be desired—especially when one examines such historical phenomena as the displacement of Native Americans and the enslavement of Africans by European Americans.

This viewpoint was evocatively expressed by Kishore Mahbubani in his 1992 essay, "The West and the Rest": "[F]rom the viewpoint of many Third World citizens, human rights campaigns often have a bizarre quality. For many of them, it looks something like this: They are like hungry and diseased passengers on a leaky, overcrowded boat that is about to drift into treacherous waters, in which many of them will perish. The captain of the boat is often harsh, sometimes fairly and sometimes not. On the river banks stand a group of affluent, well-fed and well-intentioned onlookers. As soon as these onlookers witness a passenger being flogged or imprisoned or even deprived of

the right to speak, they board the ship to intervene, protecting the passengers from the captain. But those passengers remain hungry and diseased. As soon as they try to swim to the banks into the arms of their benefactors, they are firmly returned to the boat, their primary sufferings unabated."

This essay, by a scholar who is also an official in the government of Singapore, has set the tone for the current debate. Mahbubani's general viewpoint is not, however, unique. In 1991, the People's Republic of China issued an official statement on human rights which read, in part, that "to people in developing countries, the most urgent human rights are still the right to subsistence and the right to economic, social and cultural development. Therefore, attention should first be given to the right to development."

The unstated assumption in both of these documents is the premise that increasing individual freedoms in the political sphere undermines or otherwise acts as a brake on economic development.

Defenders of the political establishment in countries like China, Singapore, and Malaysia further argue that the emphasis on political and civil rights by Western human rights organizations reflects the individualistic orientation of the West's cultural tradition. Asian cultural traditions, in contrast, emphasize such communitarian values as the economic welfare of the larger society. Thus, rather than asserting directly that human rights must take a back seat to economic development, spokespeople for the authoritarian regimes of Asia argue that such human rights as the right to maintain one's cultural tradition and the right to economic well-being should take priority over political and civil rights. Finally, many defenses of the political status quo in authoritarian Asian countries assert or imply that such societies will gradually develop greater political freedoms and expanded civil rights after their economies become as prosperous as Western economies.

Responses to this line of argument make a number of different counterpoints. First, it is often the case that authoritarian regimes also fail to promote economic development. It is also not the case that democratic political systems invariably retard economic development. Thus the opposition between rapid economic growth and democratic political processes on which arguments against expanded political participation is based is a fallacy.

Second, while the contemporary human rights movement arose in the West, it is inaccurate to assert that Asian culture in general is inhospitable to human rights. In point of fact, neither the West nor the East possess monolithic cultural traditions, although the consensus of both is to balance social concerns and responsibilities with the rights of individuals.

Finally, Asian countries with authoritarian political regimes have, in general, rushed to embrace other aspects of Westernization with little concern over the potential impact on traditional culture and traditional social arrangements. Confining resistance to Westernization to the arena of civil and political rights is thus transparently self-serving.

It seems clear that some defenders of cultural relativism are simply using the concept as a smokescreen for cruelty and oppression.

James R. Lewis

See also: Female Genital Mutilation; Women's Rights.

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Dalai Lama

Tenzin Gyatso, the fourteenth Dalai Lama, was born on July 6, 1935, with the given name Lhamo Dhondup, but is now usually called Yeshe Norbu (the Wish-fulfilling Gem) or Kundun (the Presence). This exiled religious and political leader of Tibet has spent most of his life fighting for the rights of the 6 million Tibetan people, which includes those who still live in Tibet and those who share his life of exile. In his struggle, he has become a world-famous symbol of the right of oppressed minority peoples to achieve dignity and self-determination, both of which are basic human rights.

BACKGROUND

Surrounded by the Himalaya Mountains, sitting on a plateau some 16,000 feet (4,900 meters) above sea level, Tibet was isolated from the surrounding world for much of its history. While Tibet borrowed some traditions from its neighbors, India and China, for centuries it had largely developed its own unique culture.

In the sixteenth century, a Buddhist sect called the Gelukpas came to dominate the region. They were called "Yellow Hats" because of their distinctive headgear. The leader of the Yellow Hats was called the Dalai Lama (a Lama is a Tibetan Buddhist priest). From then until the twentieth century, Tibet was ruled by its Dalai Lamas. When a Dalai Lama died, a young boy would be chosen by Buddhist priests to be the new Dalai Lama. According to Tibetan Buddhists, the young boy was supposed to have the reincarnated soul of the previous Dalai Lama. So, in a sense, there has been only one Dalai Lama, reincarnated many times.

During these centuries China tried to control politics in Tibet, but had only limited success. China is ethnically and cultural different from Tibet, but China's much larger population made it difficult for Tibet to ignore China's influence. Still, although the Dalai Lamas acknowledged China's power, they remained Tibet's spiritual and temporal rulers until the twentieth century. The current Dalai Lama was chosen to rule in 1938 (his predecessor had died in 1933). However, with the success of the Chinese Communist revolution of 1949, Tibet's situation became more precarious.

The communist revolution brought Mao Zedong to power, and Mao was unwilling to let Tibet retain its autonomy, even though the United Nations Universal Declaration of Human Rights (signed a year earlier) guaranteed all peoples the human right to self-determination. A Chinese communist army invaded Tibet in 1950, forcing the young Dalai Lama to become a puppet ruler. The Dalai Lama occupied the throne, but Chinese officials ran the country, treating the Tibetan people as second-class citizens. In 1959, a revolt by Tibetans led to great loss of life. Chinese troops fired machine guns and mortars into unarmed crowds of demonstrating Tibetans. Fearing for his life, the Dalai Lama's advisors smuggled the young ruler out of Tibet and into India. He was followed into exile by 180,000 of his people. They settled at Dharmsala, India, which became, and remains, the base for the Tibetan government-in-exile.

AN EXILE'S LIFE

Since the beginning of his exile, the Dalai Lama has attempted to bring the plight of his people before the international community. He appealed to the United Nations, which passed three resolutions—in 1959, 1961, and 1965—calling upon China to respect human rights in Tibet. These resolutions, however, had no effect on Chinese policy.

The Dalai Lama has spent much of his life touring the world, seeking to explain his cause to people across the globe. He has met presidents, premiers, chancellors, kings, and queens. He has tried to impress on all his hosts the need for Tibet to achieve some kind of freedom. Most have offered sympathy but little practical support.

Although a Buddhist leader, the Dalai Lama is accepting of all faiths: "I always believe that it is much better to have a variety of religions, a variety of philosophies, rather than one single religion or philosophy. This is necessary because of the different mental dispositions of each human being. Each religion has certain unique ideas or techniques, and learning about them can only enrich one's own faith." His open-minded and peaceful acceptance of other peoples and faiths was part of his appeal, an appeal that went beyond that of other Buddhists. The Dalai Lama has met with two popes (Paul VI and John Paul II) and the Archbishop of Canterbury (the leading cleric of the Anglican Church), as well as Jewish, Muslim, and Hindu leaders.

A NEGOTIATOR

In 1987, the Dalai Lama proposed a peace plan as a first step in bringing peace to Tibet. The plan called for Tibet to be designated a "non-violent zone," an end to the immigration of ethnic Chinese to Tibet, the granting of democratic freedoms, and an end to China's policy of dumping nuclear waste and testing nuclear devices in Tibet. While activists and supporters praised this plan, it had little effect on the Chinese government, which continued to oppress the Tibetan people. An estimated one million Tibetans have died because of Chinese policies. China discourages the learning of the Tibetan language and bans the display of the Dalai Lama's portrait. Many observers believe China is bent on wiping out the culture of the Tibetan people.

Some supporters of Tibet quietly suggested that the Dalai Lama was too pacifistic and too non-confrontational in his dealings with China. The Free Tibet Campaign (www.freetibet.org), in particular, was often impatient with his attempts to negotiate with the Chinese government. The Dalai Lama, however, argued that confrontation all too often leads to violence. "It is very complicated and sad, using the violent method," he said. Citing the 1999 NATO bombing campaign on behalf of Kosovo against Yugoslavia as an example, he explained: "The motive was concern, caring, to protect these Kosovar people from the ethnic cleansing policy but violence once it starts, is by its nature very unpredictable. Originally you intend limited use of force. Then counterreaction. Difficult to stop. Devastation. So always, I feel, it is better to avoid."

This attitude toward confrontation is in keeping with Buddhist tradition, which eschews violence and encourages its followers to try and remain detached from the physical conflicts of this world.

While the Dalai Lama has admitted that China has shown little inclination to end its human rights abuses in Tibet, he still believes in the possibility of change. "In China the popular movement for democra-

cy was crushed by brutal force in June . . . [1989]. But I do not believe the demonstrations were in vain, because the spirit of freedom was rekindled among the Chinese people and China cannot escape the impact of this spirit of freedom sweeping in many parts of the world."

In the name of compromise, the Dalai Lama has refrained from asking for full Tibetan independence, instead merely pushing for some kind of autonomy under Chinese supervision. Even this limited goal, however, has not been accepted by the Chinese government.

HONORS

In his quest for Tibetan rights, the Dalai Lama has accumulated numerous prizes and honors. The most prestigious was the 1989 Nobel Peace Prize. The Nobel committee's citation read: "The Committee wants to emphasize the fact that the Dalai Lama in his struggle for the liberation of Tibet consistently has opposed the use of violence. He has instead advocated peaceful solutions based upon tolerance and mutual respect in order to preserve the historical and cultural heritage of his people."

In 1989, he was awarded the Raoul Wallenberg Congressional Human Rights Award. At the ceremony, Representative Tom Lantos (D-CA) said: "His Holiness the Dalai Lama's courageous struggle has distinguished him as a leading proponent of human rights and world peace. His ongoing efforts to end the suffering of the Tibetan people through peaceful negotiations and reconciliation have required enormous courage and sacrifice."

DALAI LAMA TODAY

Because of his efforts on behalf of the Tibetan people, the Dalai Lama has become a worldwide celebrity. His face is one of the most recognizable in the world and has even been used for advertising campaigns. His cause has attracted many celebrities, including actors Richard Gere and Steven Seagal, and pop musician Adam Yauch of the Beastie Boys. This Hollywood following has been seen by some to diminish the Dalai Lama's dignity, but it has also had the effect of raising awareness of Tibet's plight. A number of movies have been made based on the Dalai Lama's story, including *Seven Years in Tibet* and *Kundun* (both in 1997).

The Dalai Lama has also become a popular author, whose books have been on the *New York Times* best-seller list, the most recent being *Ethics for the New Millennium* (1999).

Despite the efforts of the Dalai Lama, the future of Tibet remains uncertain. China continues its policy of brutally suppressing Tibetan nationalism, jailing Buddhist monks and nuns who support the Dalai Lama, and encouraging Chinese immigration into Tibet. The latter policy may be the most decisive in defeating the Dalai Lama and his supporters. If China is successful, ethnic Chinese may soon become the majority population in Tibet.

There also remains the question of the Dalai Lama's successor. Traditionally, the Panchen Lama, the second most important figure in Tibetan Buddhism, supervises the choice of a new Dalai Lama. But currently there is a fierce conflict over the selection and identity of the Panchen Lama. Tibetan monks, supported by the Dalai Lama, picked a young boy named Gedhun Choekyi Nyima as the new Panchen Lama. China objected, arrested the monk in charge of the search, imprisoned the boy, and named its own young candidate. The Dalai Lama's choice has remained in detention since

1995 and may never be freed. If, when the Dalai Lama dies, China's government supervises the choice of his successor, the chances of Tibetan independence or autonomy may be over.

Still, it may be some time before this becomes an issue. The Dalai Lama has said: "My horoscope says I will live until I am more than 120, my dreams suggest more than 100. I myself believe that I will live into my nineties." This may be enough time to achieve peace in Tibet and full human rights for all Tibetans.

Carl Skutsch

See also: China; Nobel Peace Prize; Political Prisoners.

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Debt Bondage

A person enters debt bondage when his or her labor is demanded as a means of repayment for a loan, or for money given in advance. People usually borrow money or other items in order to pay for the basic means of survival such as food, medicine, and the tools of labor, as well as to cover the costs of social obligations, such as weddings and funerals. Those held under debt bondage become, in effect, slaves to their creditors.

Unlike ordinary loans, debt bondage usually involves manipulation of the debt so the person paying does not know exactly how much interest has to be paid, or they may be unaware that a loan has been made at all. An example of this can be seen with Brazilian agricultural workers transported to remote parts of Pará and other Amazon states. Laborers recruited from areas of high unemployment are promised work, food, and transportation. They are not told that all of the expenses spent in transporting them to these distant agricultural estates will be deducted from their salaries. Furthermore, they are not paid in cash, and are dependent on the estate's shops, which charge inflated prices, further increasing their debt.

This system enslaves men, women, and children individually, as well as entire families. Most debtors have no proof of the original amount due, and, if there is a contract, many are illiterate and cannot read it. As a result, in some countries, debts are passed down for generations. Debtors are forced to work long hours regardless of their age or health, seven days a week, 365 days a year. Days off for illness or festivals are added to their debt, as is the interest due on the original sum, making repayment difficult, if not impossible. The value of the work done by a bonded laborer is invariably far greater than the original sum of money borrowed or advanced.

Those enslaved in this way are engaged in manual labor, working in such areas as agriculture, quarries, brick kilns, and carpet manufacturing. They also work in factories, as domestics, and, as in the case of many women migrants, in the sex industry.

The United Nations Working Group on Contemporary Forms of Slavery, in its 1999 report, estimated that there were at least 20 million bonded laborers in the world, making it the most widespread form of slavery. Most are in India, Pakistan, and Nepal, but debt bondage also exists in the Caribbean, South America, West and Central Africa, and Europe.

Bonded labor has existed for centuries in south Asia, where it took root in the caste system, and has flourished in feudal agricultural relationships affecting millions of people, predominantly the poor, dalits (untouchables), and members of minority ethnic groups. Bonded labor was also used as a method of colonial labor recruitment for the supply of labor to plantations in Africa, the Caribbean, and Southeast Asia. At the beginning of the twenty-first century, a combination of mass migration from poverty and the global demand for sources of cheap, expendable labor has resulted in the expansion of this system of slavery beyond those countries to which it had traditionally been limited.

Those enslaved under this system are routinely threatened with and subjected to physical violence and are kept under various forms of surveillance, sometimes including armed guards. Few cases involve keeping them in chains, but the constraints on these people are just as binding. Their lives are under the complete control of those to whom they owe the debt. Those who use bonded labor sometimes sell the debts to other owners, which amounts to trading in people. In Pakistan's Northwest Frontier Province, some of the brick kiln workers are reported to have been sold more than ten times.

Bonded labor is illegal in most countries. Under international law, the practice of slavery in all of its forms is prohibited by the 1948 Universal Declaration of Human Rights. Article 4 states, "no one shall be held in slavery or servitude, slavery and the slave trade shall be prohibited in all their forms." This instrument of law is applicable to all members of the United Nations.

Under the 1956 United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, which most countries have ratified, states are required to "take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist. . . . Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined."

James R. Lewis

See also: Child Labor; Slavery.

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Democracy

Democracy is essential to achieving full human rights for all members of a society. It is possible for an undemocratic government to grant its citizens human rights, but without the defenses that are built into most democracies, these rights are subject to the whims and changing policies of government leaders. History teaches that without democracy, human rights are always in danger.

BACKGROUND

Democracy on a large scale was originally developed in the sixth century B.C. by Greek city-states such as Athens. The roots of the word come from the Greek "demos" (people) and "kratos" (rule); in other words, rule by the people. Greek democracy, as groundbreaking as it was, had only limited respect for human rights—women, slaves, and foreigners had no political rights in these Greek democracies—and had little influence on the development of today's democracies. The ancient Roman Republic, established in 509 B.C., also developed some democratic institutions, which foreshadowed modern political developments, but it remained dominated by a landed aristocracy and so was not truly democratic in nature (and what little democracy existed in Rome ended with the fall of the

Panamanian civilians ducking bullets fired by nearby troops during an election protest, May 8, 1989.

Republic and the rise of the Roman Empire in 27 B.C.)

Modern democracy was born in the seventeenth and eighteenth centuries and grew hand in hand with the development of a belief in human rights. In England, the birthplace of modern democracy, political thinkers like John Locke (1632–1704) argued that government existed to protect the rights of the people. These basic human rights included the rights to life, liberty, and property. If the government did not protect those rights, it could be overthrown. The best way to decide if a government was acceptable to the people was to ask them. This is democracy. In Locke's mind, human rights demanded democracy, and democracy guaranteed human rights. Of course, Locke, and most of his contemporaries, believed that democratic rights only belonged to property owners—theirs was a limited democracy—but it was the English parliamentary system that Locke defended, which became the foundation of the modern democratic tradition. The American revolutionaries who drafted the Declaration of Independence in 1776 and created the United States Constitution in 1787 based their ideas on those of Locke and other Enlightenment philosophers; similarly, the French revolutionaries of 1789 also looked to England for their political blueprints.

Modern democracy then, like the modern idea of human rights, is relatively young. True democracy, where all men and women, regardless of race or creed, participate in the political system, has really only arrived in the twentieth century. All women did not receive the right to vote until 1902 in Australia, 1920 in the United States, 1928 in Great Britain, 1945 in France, and 1971 in Switzerland. Race has also restricted democracy: until 1965, when President Lyndon Johnson signed the Voting Rights Act, many African Americans in the South were prevented from voting. And until the 1980s, democracy was largely confined to North America and Western Europe. The rest of the world contained only a few successful democracies, including Japan, Australia, New Zealand, and India.

WHY IS DEMOCRACY NECESSARY?

The essential idea of human rights is that all people have certain inherent rights, and that their governments have an obligation to protect those rights. The problem in nondemocratic states is that the interests of the people and the government in human rights are not the same. The people, of course, want their rights protected. Governments, on the other hand, have no strong reason to favor human rights, and, in fact, can often find them to be very inconvenient.

In a dictatorship, or one-party state, the primary aim of the government is usually to keep itself in power. It may have other goals—the advancement of the interests of the working class, for communism; the defense of god, for theocratic states—but the achievement of these goals depends on the government staying in power. Human rights can only interfere with a government bent on maintaining a monopoly of power. Free speech may be filled with antigovernment ideas, and so will be suppressed; legal rights, such as habeas corpus, interfere with the process of eliminating opponents, and so will be ignored; freedom of religion may contradict the state's official ideology, and so will be prohibited. If the only interest of a government is in its own tenure of power, it has every reason to suppress the human rights of its people. Or as the theologian Reinhold Niebuhr put it: "Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary."

If, on the other hand, a government is forced to be responsive to the will of the people through democratic elections, it has a strong motive for defending the rights of those people. A democratic government that does not defend the human rights of its citizens will be voted out of power. Democracy links the interests of the people with the interests of the government.

It is for this reason that the United Nations Universal Declaration of Human Rights (1948) specifically gives all people the right to choose their government democratically. Article 21 of the Declaration states: "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." Democracy, in other words, is a necessary and essential human right.

Democracy is also directly connected to the human right to self-determination. Ethnic and religious minorities seeking their rights within an oppressive majority have the right to achieve their goals through democratic means. That more often than not they are denied this right, even in democracies, does not make it any less essential. Among those seeking the right to democratic self-determination in the world today are the Kurds, Palestinians, and Basques.

DEMOCRACY AND HUMAN RIGHTS IN RECENT HISTORY

Since 1989, when communist systems began collapsing in Europe, democracies have sprung up all over the globe. Thriving democracies have appeared in the former communist states of Poland, the Czech Republic, Slovenia, and Hungary. Authoritarian anticommunist regimes have also embraced democracy, including Chile and Taiwan. And a number of other states have created democratic systems whose success remains in doubt but which are bold breaks from the past. These include Russia, Ukraine, Indonesia, and South Africa. Along with the expansion of democracy in these countries has come an increase in respect for human rights.

Not all countries have accepted the idea that democracy is necessary for human rights. One-party communist states such as China and North Korea believe, or claim to believe, that their people are best served by a political party dedicated to advancing the interests of the people, and that the party ought not be swayed by popular fads or ignorant misunderstandings. These governments criticize democracies, arguing that they serve the interests of rich businesspeople more than of poor workers. These criticisms might hold more weight if the countries in question did not have such deplorable human rights records. There are plenty of rich business leaders in today's communist China, but it is usually poor workers who suffer the most from human rights abuses (including polluted environments, arbitrary police and courts, and restrictions on freedom of speech). These antidemocratic states have shown themselves quite willing to use violence to repress the democratic demands of their own people. In 1989, China used tanks to literally roll over prodemocracy student demonstrators in the Tiananmen Square protests. Since then, Chinese dissidents demanding more democracy have been subjected to repeated human rights abuses, including torture and unjust imprisonment.

It is not just poor dictatorial states, however, which criticize democracy. Lee Kwan Yew, Singapore's prime minister from 1959 to 1990 and still an influential figure in Sin-

gapore politics, has spoken and written extensively about his belief that East Asian countries need to follow different, more authoritarian traditions on their road toward creating better societies for their people. Lee argues that democracy is a Western idea, and it may not be suitable for Eastern peoples. (Singapore—a very wealthy country—is a democracy in name, but the same party, Lee's People's Action Party, always wins its elections.)

However, there are Asians who disagree. Lee Teng-hui, president of Taiwan from 1988 to 2000, was and remains an outspoken proponent of democracy for Asia. In 1996, Lee became Taiwan's first democratically elected president (Taiwan had been ruled by a one-party dictatorship) and sees democracy as a key to human rights and prosperity. He also denies that democracy is counter to Eastern values: "Democracy is a way of life that embodies a set of common values. From its origins in ancient Greece, democracy has grown and flourished in modern Western countries. Democracy, however, responds to very common demands. It is something to which all people aspire. As such, differences between Eastern and Western culture do not affect the pursuit of democracy. While historical factors have led to a certain degree of variance in the actualization of democratic values, such common ideals as freedom and human rights must be guaranteed by the realization of representative politics and the rule of law." Taiwan, Japan, and South Korea are all economically thriving Asian democracies.

DEMOCRACY IS NOT PERFECT

Democracy by itself is not a guarantor of all human rights. Democracies around the world commit human rights violations. The greatest danger to human rights in a democracy is usually the tyranny of the majority. The majority of a country will always support human rights for itself, but will not always do so for minorities with which the majority feels insufficient sympathy. So, for example, in democratic Turkey, Kurds are brutally persecuted and tortured for attempting to claim some kind of autonomy. Many Turks are willing to accept these human rights violations because they are happening to an ethnic minority rather than to themselves. Even in the bastion of democracy, the United States, the tyranny of the majority leads to abuses. The American prison system has been criticized by human rights advocates as being racially biased against citizens of African descent, as blacks make up the largest part of the American prison population, but a much smaller part of the general population. These alleged human rights abuses often are ignored by the white majority, presumably because they are not directly affected. On a worldwide scale, gays and lesbians are persecuted for being different, even in democracies, because a majority of the population views homosexuality with distaste or hostility, and therefore supports discrimination (just as a democratic majority of white Americans long supported slavery).

To defend against the possibility of the tyranny of the majority, many democracies contain within their constitutions legal protection for the rights of all people, minority or majority. It is for this reason, for example, that the framers of the United States Constitution added the first ten amendments, known as the Bill of Rights, which guaranteed all people certain rights, no matter how the majority might vote. In practice, of course, how well these systems work to defend the human rights of an unpopular minority depend on the strength and

independence of various institutions. (In the United States, the final arbiter of the rights contained within the Bill of Rights is the Supreme Court.) In democracies without any sort of legal protection for minority rights, human rights can often be in danger.

Democracy also has the capacity to bring undemocratic and anti–human rights forces to power. Adolf Hitler, for example, was Germany's democratically elected ruler when he overthrew the German government and created the Nazi dictatorship in the 1930s. More recently, the military government of Algeria cancelled elections in 1992 because leaders feared that a fundamentalist Islamic party was going to win and, after winning, create an Islamic dictatorship along the lines of Iran's theocratic state. The violence following the cancelled elections has continued to the present day and has taken the lives of many thousands of Algerians.

CONCLUSION

Winston Churchill once observed that democracy "is the worst form of government, except all those other forms that have been tried from time to time." In other words, it is not perfect, but nothing else works better. Churchill was speaking in general, but his words apply to human rights as much as to anything else. Democracies do not do a perfect job defending human rights, but there is no other system that surpasses it.

Today, the world seems to be heading, fitfully, in the direction of democracy. According to Freedom House, an independent, pro-democracy organization, out of 183 nations throughout the world, 120 are electoral democracies. This represents a big increase over the handful of democracies that existed at the start of the twentieth century. While not all of these twenty-first-century democracies are equally good at protecting human rights—Freedom House counts Albania, Guatemala, and Nigeria as democracies, despite their very questionable support for both democratic and human rights values—they all tend to do much better than their non-democratic counterparts. The evidence shows a direct correlation between democracy and human rights: the better the democracy, the better human rights are defended.

Carl Skutsch

See also: Freedom of Assembly; Freedom of Expression; Freedom of the Press; Genocide; Human Rights, Ethics, and Morality; Kurds; Prisons; Self-Determination; Universal Declaration of Human Rights.

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Derogation

Derogation refers to the failure or refusal of a nation to fulfill treaty obligations. Because two of three of the core documents of the International Bill of Rights—namely the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)—have the status of treaties, failure to abide by their provisions constitutes a derogation.

There are, however, special circumstances in which it is permissible to "give inferior protection" to, or partially suspend, certain human rights. Specifically, the framers of the International Bill of Rights recognized that during public emergencies such as natural disasters and insurrections, authorities might temporarily need to suspend human rights until civil order is restored.

Article 4(1) of the ICCPR sets forth the conditions under which a derogation can take place, as well as its limits. This provision also notes that certain rights cannot be derogated and specifies that nations which derogate under such circumstances must duly inform other nations participating in the ICCPR through the secretary-general of the United Nations (UN). "In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, State Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion or social origin."

Similar provisions can be found in other human rights agreements. However, a major difference between these treaties and the International Covenant on Civil and Political Rights is that the ICCPR does not mention war as permissible circumstances for the derogation of human rights. This does not mean that war was not recognized as a public emergency. Rather, the framers attached symbolic significance to not mentioning war because they felt that the Covenant should not envision war as a possibility.

Certain rights may never be suspended. Other articles of the Covenant make explicit note of these non-derogable rights, namely the right to life (Article 6), the prohibition against torture and cruel, inhumane and degrading treatment or punishment (Article 7), the prohibition against slavery, the slave trade, servitude, and imprisonment for nonfulfillment of contractual obligations and the prohibition against retroactive application of criminal laws (Article 15), the right to be recognized as a person before the law (Article 16), and the right to freedoms of thought, conscience and religion (Article 18).

It might finally be noted that—concerned that the various Covenants' enumeration of rights might serve as a pretext for restricting enumerated rights or for abrogating rights not mentioned—statements were incorporated into the International Covenant

on Economic, Social and Cultural Rights (Article 5 [2]) to prevent such an illegitimate use of these human rights documents: "No restriction upon or derogation from any of the fundamental rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent."

James R. Lewis

See also: International Law.

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Detention and Arbitrary Arrest

Arbitrary arrest and detention are the related acts of arresting individuals without legal or reasonable cause and then keeping them under detention—in prison or in jail—without allowing them any legal means of gaining their freedom. Governments that use arbitrary arrest do so in order to imprison someone without having to respect their basic human right to due process and the full protection of the law. They do so in clear violation of international human rights standards. The United Nations Universal Declaration of Human Rights (1948) states in Article 9 that "no one shall be subjected to arbitrary arrest [or] detention." But despite this prohibition, this basic human right is among those most commonly violated throughout the world.

HISTORY

The tradition of protection against arbitrary arrest and detention dates back to English law in the Middle Ages. English kings would often attempt to arrest and put out of the way nobles who opposed them. The upper class in England fought against this behavior because they feared for their own freedoms and passed laws in Parliament that protected Englishmen from arbitrary arrest and imprisonment. No authority, not even the king, was allowed to imprison a person without the consent of a legally appointed judge.

This tradition of forbidding arbitrary arrests was continued in the English colonies in North America. When those colonies rose up in revolution and were reborn as the United States, they made sure that the right to freedom from arbitrary arrest was enshrined in their constitution. The Bill of Rights, the first ten amendments to the United States Constitution, strongly emphasizes the right of people to be free from arbitrary arrests and detentions. The Fourth Amendment protects Americans from "unreasonable search and seizure," and from arrest warrants issued without "probable cause." The Fifth Amendment requires that persons held for a crime must have their case seen by a grand jury. The Sixth Amendment gives those arrested the "right to a speedy and public trial."

England and America also both developed a strong tradition of defending the writ of habeas corpus, which allows judges to call prisoners before them to insure that no one has been unfairly imprisoned. The Fourth, Fifth, and Sixth amendments, combined with the writ of habeas corpus, keep the police in the United States under the close supervision of the judiciary, whose job it is to prevent civil rights abuses. This does not guarantee that arbitrary arrests and detentions will never occur, but it greatly reduces the risk.

In France, there was a similar tradition of opposition to arbitrary arrests and detention. French kings had long used legal documents called *lettres de cachet* (which means "letters with a signet") that allowed the kings to place under permanent arrest anyone who displeased them. Those arrested might spend the rest of their lives imprisoned in fortresses like the grim Bastille located in the center of Paris. Resentment of the *lettres de cachet* was one of the causes of the French Revolution, and

the revolutionaries enshrined their opposition in the laws they passed, including the Declaration of the Rights of Man and of the Citizen (1789), which stated that "no man may be accused, arrested, or detained except in the cases determined by law."

These traditions of opposition to arbitrary arrest and detention coalesced and were made international law by the United Nations Universal Declaration of Human Rights, ratified in 1948.

IN PRACTICE

Although arbitrary arrests and detentions are universally agreed to be violations of human rights, the use of both has remained ubiquitous. During the cold war communist states arrested people they deemed troublesome, dangerous, or subversive and put them away, sometimes for life. (Some of these detentions were authorized by judicial proceedings, but the laws and the courts of the Soviet bloc countries made such proceedings little better than farcical.) In authoritarian, non-communist states, arbitrary arrests and detentions were often equally commonplace. The government of Chilean dictator Augusto Pinochet was notorious for the number of citizens which it arrested and unlawfully detained (some of whom were never heard from again). Other Latin American dictatorships had similar policies of detaining those the government considered problems, as did African and Asian dictatorships. Only the democracies of world, mostly concentrated in Western Europe and North America, protected their citizens from these violations of their human rights.

Homeless street child being handcuffed and arrested in Rio de Janeiro, Brazil.

Dictatorships often detain people without trial because judicial trials, even when orchestrated by judges who will obey the government's commands, can be public and embarrassing events. They prefer to have a person disappear into detention rather than worry about the public relations fallout from a legal (or semi-legal) trial. This has not always worked. The dictators of Myanmar have detained thousands of opposition leaders, but their most famous detainee, Aung San Suu Kyi, became an internationally known symbol for those fighting for human rights, and an embarrassment to the Myanmarese government. The dictators of Myanmar were eventually forced to release Aung San Suu Kyi. Even so, Myanmar continues to detain its less-well-known opponents without trial.

Dictatorships are the main practitioners of arbitrary arrests and detentions, but Western democracies have also engaged in this violation of human rights. During

World War II, the United States government imprisoned more than 100,000 American citizens of Japanese ancestry because of fears that they might sabotage the United States' war effort. None of these imprisoned individuals ever did any harm to their country, and in 1988 the United States Congress passed a law apologizing for the internment and giving the victims financial compensation. In recent years, some police forces in the United States have been occasionally criticized for arresting people on weak charges and keeping them imprisoned for days before allowing them to see a judge (who would often then dismiss all charges against those imprisoned). These arrests, unjust as they are, remain relatively unusual; the United States is considered a reasonably strong, if not perfect, defender of the right of people to be free from arbitrary arrest and detention.

A more common democratic violator of this human right is the state of Israel. Although a democracy, Israeli governments have consistently defended their right to arbitrarily arrest and detain Palestinian Arabs whom they consider dangerous. These prisoners, called administrative detainees, can be held for years without trial. During the 1980s and early 1990s, there were hundreds of these administrative detainees; some of them had remained in prison for years, without ever having been convicted of a crime. In the late 1990s, particularly after the arrival of the more human rights–sensitive administration of Prime Minister Ehud Barak, administrative detentions declined in Israel. Compared to some of the neighboring Arab states, Israel's human rights standards are decent, but for a democracy that claims to support human rights, it still carries out many arbitrary arrests and detentions.

Today, with the increasing number of democratic governments worldwide, arbitrary arrests and detentions are less common than they once were, but they still remain a threat to human rights. China, Nigeria, Cuba, and Syria are among the many countries in the world that still arbitrarily arrest and imprison their own people on a regular basis.

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See also: Aung San Suu Kyi; Habeas Corpus; Police and Law Enforcement; Prisons.

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Disabled Persons' Rights

The Universal Declaration of Human Rights stated: "All human beings are born free and equal in dignity and rights." Nevertheless, this is far from being a reality for more than 500 million disabled persons around the world. Disabled persons' living conditions are always worse than those of other citizens. They are very often isolated and socially marginalized. They face discrimination in virtually all aspects of life. To combat this situation, specific rights have been established to protect disabled persons.

According to the definition contained in the Declaration on the Rights of Disabled Persons (1975), the term *disabled person* means "any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of a deficiency, either congenital or not, in his or her physical or mental capabilities."

The rights of disabled persons have increasingly been recognized by international and national law. The Declaration on the Rights of Mentally Retarded Persons (1971) and the Declaration on the Rights of Disabled Persons (1975) both establish the principle of equality of the rights of disabled

Myanmarese (Burmese) Karen who have lost limbs as a result of the government's war against the Karen, March 1993.

Homeless Angolan man missing a leg, probably as a result of land mines, July 1990.

persons, and add some specific rights. The Declaration on the Rights of Deaf-Blind Persons (1979) adopted by the Economic and Social Council provides universal rights.

A United Nations Decade of Disabled Persons was also introduced, lasting from 1983 to 1992. The question of disability was put on the international agenda, which brought many substantial changes in disabled persons' lives.

In 1993, at the end of the decade, the United Nations' most important document concerning disabled persons was adopted: the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. This text addresses all aspects of disabled persons' lives, such as equal opportunities, physical environment, services, education, employment, and social welfare. It suggests some measures governments should take in order to ensure that disabled persons become fully equal citizens. The rules act as an international instrument and as a mechanism of control to guarantee the effective application of the stated rights. It is not possible to force governments to apply them, and the rules require a concrete commitment from governments in order to transform equal opportunities for disabled persons into reality—a commitment which is often lacking.

Domestic laws protecting the rights of the disabled vary in their definition of who qualifies as disabled. For example, Jordan has a

rather restrictive definition, in so far as it only includes persons who are disabled in their training or working capacities. Unlike Jordan, Norway has the widest definition, as its legislation even considers as disabled those persons suffering from a social disability, such as alcoholism or drug use.

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See also: Mental Health and Psychiatry.

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Disappearances

Authorities come and kick in the door of the house, villa, or shack. Its residents are rich or poor. The perpetrators do not always wear uniforms, but they always carry weapons. They often come at night, but sometimes also in broad daylight. They take the father, the mother, or the child into custody without an arrest warrant. The victim disappears without a trace.

Disappearance is one of the crimes invented by the police states of the twentieth century. Governments and their supporters target people they view as enemies. Those people are arrested and then made to disappear. The lucky ones may someday be released alive. Most will be discovered in some shallow grave. The fate of some may never be discovered.

The cruelty of disappearances comes from the uncertainty that surrounds them. The victim is unsure of what will happen next. The relatives and friends who are left behind are tormented by this uncertainty and fear that the same will happen to them. These factors, along with the hope that the disappeared person will one day return, make it very hard for the remaining relatives to get on with their lives. Disappearances can be almost as devastating as murder.

Amnesty International defines *disappeared persons* as those "who have been taken into custody by agents of the state, yet whose whereabouts and fate are concealed, and whose custody is denied." Amnesty puts the term *disappeared person* between quotation marks to indicate that the person in question has not really disappeared, because there are officials who know the whereabouts of the disappeared person but remain silent.

The government is usually directly or indirectly responsible for a disappearance: directly, if they order the secret service, the armed forces, or the police to make a person disappear; or indirectly, if they implicitly allow others to make someone disappear without directly ordering it to happen. In both cases, the authorities always deny their involvement. They hide behind a wall of silence and do not cooperate by releasing information or helping conduct research into the disappearance.

The people carrying out the disappearance wish to remain unknown. The disappearance itself is also a secretive affair. According to most constitutions, disappearances are implicitly or explicitly forbidden. The perpetrators will therefore do all they can to not be held responsible. Their reasoning implies that as long as a prisoner, a victim, or a body is not found, there can be no offender. Disappearances are carried out by the military, death squads, civilian patrols, and the police. Governments give these groups freedom to act, but officially they are completely ignorant and uninvolved. Disappearances have a structure of central planning and decentralized execution.

In some cases, a military unit of various cells is established. Each cell has a large degree of autonomy to take individuals into custody, make them disappear, and kill them. In other cases, the disappearances are carried out by paramilitary groups and death squads. They have no official status,

but have been granted far-reaching authority that enables them to do as they please without punishment.

The main objective of disappearances is to punish those who cause the state trouble, but against whom the state is unable or unwilling to take legal measures. Legal proceedings, trials, and the acknowledgment of imprisonment are unnecessary in the case of disappearances. The reason disappearances still occur, and occur more frequently is because this method is advantageous to the government using it.

Disappearances cause confusion. As opposed to legal proceedings, the government can claim that groups beyond its control, or persons who wish to discredit the state, are responsible. It can claim that the person went into hiding, fled, or never even existed.

The government can spread fear by disclosing death lists with the names of future victims. Families and kindred souls are thus informed that the same may happen to them if they dare to stand up to the authorities. In case of a disappearance, this intimidation is strongly felt: a killed person may grow into a martyr for his cause, but a disappeared person is a silent hostage.

A disappearance is an effective way of removing from the community an individual considered a threat to the government. The political, social, and economic situation of a country determines which persons are considered subversive. They may be political adversaries, but they also may be members of an undesirable ethnic group, such as the indigenous people of Guatemala, or the socially rejected, such as street children or prostitutes in Brazil.

The figures provided by the United Nations Working Group on Enforced or Involuntary Disappearances are probably just a fraction of the real number of disappearances. Since its establishment in 1980, the UN Working Group is seeking to clear up a total of 48,770 disappearances. In 1998, the Working Group was engaged in 240 new reports from twenty-five countries. The number of countries the Working Group has contact with on disappearances is seventy-nine. In approximately forty-five of these countries, the relatives of the disappeared have organized to demand answers from their governments.

With the end of the cold war, and the international decline of left/right conflicts, the use of disappearances by authoritarian governments has declined, but it has not stopped. Along with the decline has come an increased willingness by a few governments to acknowledge their past misdeeds. In June 2000, for example, after eleven months of negotiation, the Chilean military agreed to search for the bodies of those Chileans who had disappeared during both the 1973 coup and in the subsequent seventeen years of General Augusto Pinochet's military dictatorship. This agreement, while not burying the wounds of the past, did take the giant step of having the military acknowledge its involvement in the crimes of the Pinochet regime. For some, it was amazing that the military even admitted that disappearances had ever occurred.

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See also: Habeas Corpus; Torture.

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Domestic Violence

Some of the worst human rights abuses take place not in the public arena but in private homes. Women and children around the world are battered, sexually abused, and killed by their husbands, lovers, brothers, and fathers. Men are almost always the perpetrators of domestic violence, and women are almost always its victims. Although domestic violence is pervasive, affecting every country and economic class throughout the world, it has historically been dismissed as unimportant. It is only since the late twentieth century that much of the world has begun to accept that domestic violence is a significant threat to women's human rights.

The historical downplaying of domestic violence has much to do with its victims. Women, the primary target for domestic violence, have had fewer rights than men in most societies for most of history. When Thomas Jefferson wrote the Declaration of Independence in 1776, he said that all *men* were created equal; he did not include women or slaves. In none of the world's major democracies did women have the right to vote until the twentieth century. Even after gaining the right to vote, they remained, and sometimes still remain, second-class citizens in many parts of the world.

Moroccan poster designed to raise awareness of the problem of domestic violence.

Along with the tradition of women's political and social inferiority has come another tradition: the belief that women are appropriate targets for male violence. Up until the 1800s, it was assumed in most Western countries that men had the right to beat, or "chastise," their wives. Women "belonged" to men, first to their fathers, then to their husbands, and men could do as they pleased with their "property." In the twentieth century, there was a slow but steady shift in attitudes in the rich, industrialized countries of the West. This shift accelerated with the women's movement of the 1970s; domestic violence soon became so-

cially unacceptable in Western countries, and laws were passed to protect women. However, these laws are not always effective, and they are only slowly spreading to countries outside the industrialized West. In much of Africa, Asia, and Latin America, wife beating is still considered acceptable. As a result, in most of the world, women do not have their full human rights.

Women in the Western world now have legal defenses against domestic violence. They can leave their husbands or boyfriends, ask a court to put a restraining order on their abusers that requires them to stay away, or have their abusers arrested for assault. These defenses, however, have weaknesses. The court is sometimes slow to protect women from violent abusers who often strike out the hardest just as a woman is seeking help. Many women have been killed in courthouses while seeking legal protection from their abusers. Of women who are murdered in the United States, 30 percent are killed by a boyfriend, husband, or ex-husband. Public awareness campaigns have also helped to raise consciousness about the evils of domestic abuse, giving women more support and lessening the leeway that male abusers used to receive from police and their community. But even today there are still those—male and female—who think that men have the right to hurt women. Violent abuse in the United States is declining, but one million women are still abused every year.

Outside the West, domestic violence is an even more severe problem. In many countries, particularly in the Middle East, it is considered honorable for a husband to kill a wife who has wronged him in some way. Human Rights Watch, an international human rights organization, offers the story of Samia Sarwar, a twenty-nine-year-old Pakistani woman, who was killed in her lawyer's office by a hit man because she was trying to get a divorce from her husband. Her family supported the killing. These kinds of killings are common, and even more common are beatings. The Pakistani government, dominated by men who believe in women's subservience, does almost nothing to stop this violation of Pakistani women's human rights. The same situation exists throughout the Middle East and much of Africa. In Jordan, for example, it is estimated that a third of all murders are "honor killings," in which women are killed for violating family honor—usually for seeking a divorce or having an adulterous affair.

But the Middle East is not unique in fostering violence against women. In Russia, it is estimated that 12,000 women are killed every year as a result of domestic violence committed by husbands and boyfriends. In Latin America, with cultures that praise male machismo, violence against women is still often condoned. Even when there are governmental efforts to reduce domestic violence, they run into cultural barriers. In Peru, new laws designed to help protect women were thwarted by public prosecutors who often sided with the abusive men over the abused women. In one case, the husband of a Peruvian woman, Irma Quispe, admitted beating her, but said it was because she was stubborn and would not do what she was told. The prosecutor then turned to Quispe and said, "So you're stubborn? You have to obey your husband. You have to do right by your children and improve. You deserved your abuse."

The United Nations has lately begun acting to protect women's human rights. In 1994, the United Nations General Assembly adopted a Declaration on the Elimination of Violence Against Women, which called vio-

lence against women a violation of their fundamental human rights and called upon all nations to end it. But statements and declarations can do little until the cultures that accept domestic abuse as normal recognize that it is a human rights violation that is as important as any other such violation.

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See also: Crime; Police and Law Enforcement; Victims' Rights.

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Drug Trafficking

Drug use can destroy lives and drug-related crime can destroy neighborhoods, but the human rights fallout from drug trafficking results largely from the abuses stemming from government prosecution in the war on drugs. Some people or groups are unfairly, and therefore unjustly, targeted, and police and courts often use oppressive methods—methods which violate human rights—in their attempts to eradicate the drug trade. Drugs can be bad, but human rights abuses in the name of fighting drugs are even worse. When civil liberties suffer, the war on drugs has gone too far.

EXCESSIVE FORCE

Methods of catching drug users and sellers can lead to human rights violations. In many parts of the world, mandatory drug tests violate people's basic right to privacy. Testing airline pilots or bus drivers seems defensible because they hold many people's lives in their hands, but should those tested include college students on financial aid, welfare recipients, and elected officials (all of whom can be legally tested in Louisiana)? Private businesses also often require their employees to submit to drug tests, and fire them if they refuse. Other privacy violations include the secret wiretapping of telephone conversations and airborne surveillance of private property. Police on drug raids are allowed to break down doors of private homes in their search for illegal substances. In many of these cases, no drugs are ever found—sometimes because the police mistakenly break down the wrong door—but the families who are pushed to the ground and handcuffed suffer terror and humiliation. (In 1998, one woman was kept handcuffed for two hours and prevented from using the bathroom, so she soiled herself. No drugs were found in her apartment.)

Two Romanian street children sniffing paint for a drug high. Inhaling paint rapidly destroys brain cells.

The pursuit of drug users and sellers is concentrated in the United States, the world's capital of drug consumption, but drug production occurs mostly in poor countries, with weak human rights safeguards. The poor farmers at the bottom of

the drug-dealing hierarchy often suffer from the methods their governments use in their attempts to suppress the drug trade. Rich drug lords can bribe police officers or buy their way out of prison; peasant growers have no such options. In Bolivia, peasant farmers who harvest the coca crop (from which cocaine is produced) do so simply to make a little extra money in a very poor country, but they risk raids by police and soldiers who have scant concern for their human rights. A number of Bolivian peasants have been killed by anti-drug forces under questionable circumstances.

BIAS AND DRUGS

One of the central human rights violations in connection with the war on drugs is racism. In countries where racism is a problem, those races on the bottom of the social ladder are more likely to be arrested and imprisoned for drug offenses. In the United States, five times as many whites as blacks use illegal drugs (because whites make up a majority of the population), but almost two thirds of those imprisoned for drug offenses are black. Even though approximately the same proportion of whites and blacks use drugs, blacks are more likely to be arrested for drug crimes, and if arrested, they are more likely to serve jail time.

In another form of bias, police action against drug traffickers and users tends to focus on the poor, even though drug abuse can be found at all strata of society. Police organize drug sweeps in poor neighborhoods, break open doors in high-rise tenements, and assume that young men hanging out on street corners must be dealing or using drugs. Rich and middle-class neighborhoods do not receive this same police pressure and attention, and when drug offenders are arrested, rich defendants who can afford expensive attorneys are more likely to avoid prison terms.

In the drug war there is also debate regarding which drugs should be illegal and whether justice and human rights are being served by imprisoning people for all drug offenses. In most of the world, drugs such as alcohol, caffeine, and nicotine are legal, while marijuana, cocaine, and heroin are not. All these drugs, legal or not, can be harmful if abused, and many nations continue to debate whether some banned drugs should be legalized.

DRUGS, PUNISHMENT, AND PRISONS

In fighting drugs, punishment can also be excessive. The United Nations Universal Declaration of Human Rights states that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment," yet in China, more than 400 people were executed for drug crimes in 1997. Many other countries impose the death penalty for some drug crimes, including Malaysia, Kuwait, Singapore, and Vietnam. In Iran, one can be executed if found with 1.05 ounces of heroin. Even without death sentences, drug-trafficking penalties can be severe. In Thailand, life sentences are common for those carrying small amounts of heroin or marijuana.

In the United States, the aggressive prosecution of the drug war is partially responsible for the quadrupling of the U.S. prison population. Currently, two million Americans are behind bars—a number greater, both proportionally and absolutely, than any other industrialized country—and many of them have been convicted of only non-violent drug-related offenses. One of the main contributors to this rising American prison population are mandatory sentencing laws. Under mandatory sen-

tencing, drug dealers and users must serve a minimum period of time, which is usually determined by how large a quantity of drugs they had on their persons and whether they had any prior criminal convictions. Mandatory sentencing laws, which became popular in the 1980s and 1990s, were inspired by a general desire to get "tough" on crime. The result of such laws, however, is to take away the ability of judges to use discretion in sentencing. Before mandatory sentencing laws, a judge might decide to be lenient in a case involving a small quantity of drugs and a non-violent offender. Under mandatory sentencing, merely possessing one ounce of marijuana might result in an automatic prison term of many years.

The United States is not the worst offender in its excessive use of prison terms to punish small-time drug offenders. In Ecuador, Malaysia, and Taiwan, for example, more than 40 percent of those in prison are serving time for drug offenses. Drug arrests have led to prison overcrowding in all these countries, creating unsafe conditions and denying prisoners the dignity they deserve as a basic human right.

CONCLUSION

Governments may have an obligation to prevent drug abuse and fight against the damage that drugs can do to a society, but they also have an obligation to respect the rights of their citizens—even those who use drugs—and not to use methods that violate human rights standards. They have an additional obligation to ensure that crimes are prosecuted fairly, with no favoritism given to one race or excessive burden placed on another. Until these two basic requirements for human rights and human dignity are satisfied, the war against drugs remains problematic.

Carl Skutsch

See also: Prisons.

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Education and Literacy

Education and literacy are basic human rights. A person who cannot read or write cannot be a fully functioning member of society. Such persons cannot completely embrace their right to be part of a democratic process because they cannot read information about competing political parties and candidates. They may have the right to vote, but illiteracy may prevent them from understanding for whom or for what they are voting. In the sphere of economic rights, poorly educated people have access to only a limited selection of jobs, usually manual labor of some sort, and usually at wages far below what better-educated people receive. In today's information- and technology-driven world, being poorly educated or illiterate is like being blind in a world that requires sight.

Article 26 of the United Nations Universal Declaration of Human Rights (1948) states: "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit." Reiterating this point, Article 10 of the United Nations Declaration on Social Progress and Development (1969) decrees that all people have the right to education, and that to protect this basic human right, governments are obliged to dedicate themselves to "the eradication of illiteracy and the assurance of the right to universal access to culture, to free compulsory education at the elementary level and to free education at all levels."

Despite these declarations, many people in the world remain illiterate or semiliterate. One of the most important international organizations dedicated to fighting illiteracy is the United Nations Educational, Scientific, and Cultural Organization (UNESCO). According to UNESCO statistics, approximately one billion adults remain illiterate. The situation is particularly bad in sub-Saharan Africa, which has an adult illiteracy rate of 43 percent, and in southern Asia, which has an adult illiteracy rate of 49 percent. These figures are merely generalizations, hiding a wide range of illiteracy rates; South Africa, for example, has a relatively low illiteracy rate for sub-Saharan Africa—18 percent—while in Asia, Bangladesh has an illiteracy rate of 61 percent. Some nations, like Niger and Burkina Faso, have illiteracy rates of more than 80 percent.

Even in rich countries, like the United States, functional illiteracy remains a problem. According to the United Nations, more than 20 percent of adults in both the United States and the United Kingdom are functionally illiterate (meaning that they read at or below a fourth-grade level).

A key problem in fighting illliteracy is that in many cultures women are treated as second-class citizens not worthy of education. For this reason, in many parts of the world the literacy problem for women is much worse than it is for men. In Bangladesh, for example, the rate of male illiteracy is 50 percent, the rate for women is 73 percent. India, Afghanistan, Bolivia, Morocco, and many other countries all have similar disparities between male and female illiteracy rates.

Women in Equatorial Guinea enrolled in an adult literacy class. The literacy rate in Equatorial Guinea is 78 percent.

To fight illiteracy, many organizations, along with UNESCO, have organized programs designed to bring education to those who have not previously had access to it. One such UNESCO program, the Seti Project in the Seti River Valley of Nepal, focused on helping to improve literacy among women, young and old. Young girls were encouraged to attend morning classes for two hours a day, while their mothers and grandmothers were invited to evening literacy classes. These latter classes emphasized themes and subjects that were directed toward improving the lives of these working women, such as building latrines, improving heating in their homes, and making home remedies for sick children. As a result of the project, thousands of women and girls had access to education, many learning to read and write for the first time. Not coincidentally, both fertility and infant mortality rates in the Seti valley declined.

Literacy and education do more than give people access to better jobs and provide them with a clearer understanding of the world around them. Literacy rates can also be directly correlated with prison incarceration rates and fertility rates. In other words, better-educated people go to jail less often than poorly educated people, and better-educated mothers have fewer children, and therefore their standard of living tends to go up (fewer people in a household means more money per person). There are also connections—as programs like the Seti Project have shown—between better literacy and reduced infant mortality and other health risks. Literacy and education are clearly essential human rights.

Carl Skutsch

See also: Poverty.

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Environment

Fires in the Kuwait oil fields. During their invasion of Kuwait, Iraqis set many fires, badly damaging the environment, 1991.

Human rights and environmental concerns are inseparable issues. For example, Principle 10 of the 1992 Rio Earth Summit Declaration links them together: "Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided."

The United States Senate's version of the National Environmental Policy Act explicitly affirmed that "each person has a fundamental and inalienable right to a healthful environment."

Human rights advocates make the legitimate point that human rights and a protected environment often go hand in hand. Those countries that have the most respect for human rights also tend to be the most supportive of laws that protect the environment.

It is no coincidence that in those places where the rights of human beings are most seriously being trampled, the health and integrity of the environment is likewise being destroyed. The injury suffered by both people and the environment in incidents such as the nuclear accidents at Three Mile Island and Chernobyl, the chemical accidents at Love Canal and Bhopal, or the rainforest destruction in the Amazon or deforestation in the Pacific Northwest are manifestations of the same problem. One cannot be concerned with human rights and not be at the same time concerned with the health of the environment. As human rights advocate Kerry Kennedy Cuomo put it: "Protecting human rights means preserving the environment, and safeguarding the environment means respecting human rights."

Some modern theories of human rights developed under a specific worldview that regarded people as separate from nature or the environment. But ecology rejects such a picture. Without a healthy environment, it is impossible for people to fully enjoy their rights. Given a true ecological understanding of the world, our commitment to fundamental human rights leads to an ethical

Amazon forests devastated by commercial exploitation, 1989.

code that also includes concern for all living things on the planet.

By linking human rights and environmental protection, many activists have helped create awareness of the condition of workers, citizens, and the environment. Some of these activists attracted international attention during protests against the 1999 World Trade Organization meeting in Seattle.

Michael P. Nelson

See also: Globalization and Multinational Corporations.

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Equality

Equality is one of the foundations of human rights. It is an integral part of the moral teachings of most of the world's religious and philosophical systems. Equality is also mentioned at the beginning of most national constitutions, as a point of departure for enumerating other rights and freedoms. (The United States Declaration of Independence, for example, states in its second paragraph that "all men are created equal.")

The priority given to this ideal of equality is reflected in the concept's central placement or pervasiveness in the United Nations Charter, the International Bill of Rights, and many other human rights documents. The relevant articles of the Universal Declaration of Human Rights, for example, state the following:

Article 1. "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in the spirit of brotherhood."

Article 2. "Everyone is entitled to the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Article 7. "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination"

While equality may appear to be merely the absense of discrimination, the ideal of equality set forth in various national and international documents was not intended to imply absolute equality without distinctions. It is not difficult to imagine situations in which the equal treatment of unequals—for example, the equal treatment of disabled and non-disabled citizens—is itself a form of positive or helpful discrimination. Equality also does not imply that a state is forbidden from "discriminating" among its citizens for certain purposes—for example, between adults and children, or between convicted criminals and non-criminals. Equality simply requires that the legitimate interests of all people, and their associated human rights, be treated with equal respect and be given equal weight.

The basic idea of equality is popular, although its application often remains controversial. Most people tend to believe that everyone deserves equal treatment. But does this apply to differences between rich and poor? Some radical human rights advocates argue that since great disparities of wealth lead to suffering among the poor, it is up to the government to take money from the rich to help alleviate the problems of the poor.

In other words, does the right to equality refer to equality of opportunity or equality of situation? The consensus in the United States and other industrialized countries is that opportunity is more important than situation and that the government is only under an obligation to protect the right of individuals to freely pursue economic opportunities. However, a sig-

nificant number of writers and human rights advocates believe that redressing the lack of fairness in individual incomes and economic situations is also a human rights obligation.

James R. Lewis

See also: International Bill of Rights.

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Exile and Deportation

Exile is a condition forced upon a person or a group of people by their native country. Exiles are forbidden from reentering their country, sometimes for a period of time, often forever. Deportation is the process by which people are forced to leave.

The two terms, *exile* and *deportation*, are related but not always directly connected. Exiles are always citizens of the country from which they are banned; deportees may be citizens, but they are more often foreign nationals who can be deported precisely because they lack the protections of full citizenship. Some deportees have had their status of citizenship revoked, thereby making them vulnerable to deportation. Deportation is also always involuntary: deportees never choose to leave. Exile can be either forced or voluntary.

Forced exile and deportation violate the basic human right to freedom of movement and residence. Moreover, deportees are often sent back to a country lacking any respect for human rights, and thus they fear imprisonment, torture, or even death. The 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol grant refugees the right to safe asylum, but the Convention is ignored more often than it is honored. In a world full of refugees, deportation is commonplace.

EXILE

Exile is the more romantic of the two words. Classic exiles from fiction include the tragic figure of Philip Nolan, from Edward Everett Hale's 1863 short story "The Man Without a Country," who wishes never to hear the name of his country again and has his wish granted for fifty-five lonely years. One of the most famous communities of exiles were the American expatriates—including Gertrude Stein, Ernest Hemingway, F. Scott Fitzgerald, and John Dos Passos—known as the "lost generation," who made Paris their home in between World War I and World War II.

Most exiles, however, lack any aura of romance. They cannot go back to their own country, either because their government has forbidden their return or because they fear the consequences to their safety. Exile is common after war or revolution. The Chilean coup of 1973 forced tens of thousands of Chileans to leave their country or risk execution by the Chilean military; the Israeli War of Independence forced many Palestinians to flee into permanent exile; and China's communist government has forced dissidents to leave the country. Some of these exiles, like the Palestinian academic and writer Edward Said, have made successful careers for themselves, but what marks them as exiles, not emigrants, is their desire to return to what they consider their homeland.

Exiles often are political activists who risk arrest or worse if they return to their country. Kanan Makiya, for example, is an Iraqi architect who exposed many of the horrible human rights violations of Saddam Hussein's regime, but who would face danger if he attempted to go home. Czech activist Jan Kavan spent years in exile from his homeland while it was under communist control and worked with those still in the country to smuggle documents de-

Kurdish immigrants on a hunger strike in Switzerland, protesting against the deportation of Kurds back to Turkey.

scribing the ongoing human rights violations. With the fall of the communist government, Kavan was able to go home but was later subjected to a smear campaign accusing him of having been a government agent. Even those exiles who return home do not always find it a welcoming place.

DEPORTATION

Deportation is never voluntary. Deportation is traditionally used against people who are not citizens of the country in which they reside. In the twentieth century, however, it has become increasingly common for even citizens of a nation to be deported, sometimes on a mass scale.

Deportation is often directed against those considered to be political troublemakers. In the nineteenth century there were a number of large-scale deportations after failed revolutions; the French government deported revolutionaries to Algeria after both the 1848 and 1871 uprisings. Emma Goldman, known as "Red Emma" because of her revolutionary, anarchist activities, was deported from the United States in 1919, and many other leftists were treated the same way during the Red Scare that followed World War I.

Deportation is often used to eject illegal aliens (non-citizens without proper documentation) from a country. Countries such as the United States will seek to deport immigrants who are attempting to settle illegally for economic reasons. More troubling is the practice of deporting refugees who are fleeing from revolutions, political up-

heavals, or war zones. According to both United Nations resolutions and the 1949 Geneva Convention, it is against international law to practice *refoulement* (returning) of refugees who are fleeing from possible persecution. Nevertheless, despite the fact that the world has agreed that *refoulement* is a violation of human rights, many countries continue to deport refugees, preferring to ignore international law rather than be forced to take on the responsibilities of poor and desperate refugees. The violence in Bosnia and Kosovo led to a large exodus of refugees in the 1990s. Many of them, upon arrival in what they thought were safe havens in Germany or Switzerland, were immediately deported and sent back into the war zones they had just fled. Eventually, public outcry forced both countries to reverse these policies.

During and after World War II, deportation came to be used as a tool of ethnic cleansing, or genocide. The forcible transportation of Jews living under German rule was called deportation by the Nazi government. Millions of these Jews who were "deported" were killed in concentration camps. Because of what happened to them, the United Nations declared mass deportations to be crimes against humanity. This has had little effect on the conduct of nations. During the Yugoslavian wars of the 1990s, deportation was constantly used as a means of clearing areas of unwanted ethnic groups. In Bosnia, for example, Serbian militias would round up Bosnian Muslims, force them to sign over their property, and then put them on to trains heading for Austria. (These Muslim deportees were sometimes then deported back into Yugoslavia by the Austrians, who did not want them in their country.) Mass deportations, often connected with policies of genocide, are particularly troublesome offenses against human rights.

Carl Skutsch

See also: Aliens and Non-Citizens; Asylum; Extradition; Genocide; Refugees.

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Extradition

Extradition is the process by which a country demands that another country return to its custody a person that it accuses of having committed a crime. Unlike deportation, extradition is initiated by the person's home country (whereas deportation is initiated by the country where a foreign national currently resides). Every country has its own legal code spelling out who may be extradited and under what circumstances. Many countries have signed extradition treaties that give each the ability to extradite fugitives from the other. If two countries have no extradition treaty, neither is under any obligation to turn over alleged criminals to the other, although they are often willing to do so, particularly in the case of heinous, non-political crimes. Usually countries will also only agree to extradite people for crimes that are also punishable under their own legal code.

Most extradition cases concern common criminal cases; some, however, have political and human rights implications. These fall into two categories.

First, there are the cases where a government demands that a person it considers dangerous for political reasons be returned. This kind of extradition is applied to revolutionaries, political activists, and other persons that governments consider subversive.

Second, there are those cases where the person accused is a former government official who is being extradited to face criminal charges for his or her crimes while in power. Often the crimes for which these people are being extradited involve human rights violations.

The most famous extradition case in recent years has been that of former Chilean dictator Augusto Pinochet. Pinochet was the leader of a violent 1973 coup against the democratically elected government of Chilean president Salvador Allende. Pinochet ruled Chile for seventeen years after his illegal takeover, during which time thousands of Chileans were tortured and murdered, and hundreds of thousands were forced to leave the country. Even after Pinochet left office in 1990, he retained legal immunity (a form of amnesty) in Chile against any prosecution of his many crimes. In October 1998, however, during a visit to England, the London police arrested him, based on an extradition request by a Spanish judge, Baltasar Garzon. Although Pinochet's crimes were committed in Chile, the Spanish judge issued the extradition request because some of those murdered may have been Spanish citizens. It also seemed unlikely that the Chilean government would ever attempt to prosecute Pinochet for his crimes. (Although the government was and is a democracy, it dared not offend the powerful Chilean military, which still felt loyalty to their old commander, Pinochet.)

After Pinochet had spent more than a year in custody, the British courts finally turned down Spain's request for extradition, releasing Pinochet on medical grounds (he was eighty-three years old and allegedly in poor health). The fact that extradition was con-

sidered at all suggests that former dictators cannot sleep as easily as they once did. Justice Garzon, the man who initiated the Pinochet extradition procedure, has continued investigations into human rights abuses in Argentina and Chile during their years of military rule, and has said that further extradition attempts are quite likely. And even though he escaped extradition, Pinochet still remained in danger of prosecution for his crimes. The Chilean government, perhaps emboldened by the international outcry against Pinochet during the extradition controversy, has begun to consider the possibility of criminal prosecution of the former dictator. As one human rights lawyer put it in describing the implications of the Pinochet extradition case: "Dictators can hide, but they cannot run."

Carl Skutsch

See also: Amnesty; Asylum; Exile and Deportation.

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Female Genital Mutilation

Female circumcision or *female genital mutilation* (FGM) are terms commonly used to describe a set of traditional practices that involve the cutting of a female's genitals. While the procedure is generally performed on girls between the ages of four and twelve, it is practiced in some cultures as early as a few days after birth or as late as just prior to marriage or following the first pregnancy. Those who perform FGM ceremonies are often older women who come from families in which women have traditionally played this role. In some countries in recent years, trained health professional—including physicians, nurses, and midwives—have also begun performing FGM.

It is estimated that 130 million girls and women worldwide have undergone FGM. At least two million girls each year are at risk of undergoing some form of the procedure. It is practiced in twenty-eight countries in sub-Saharan and northeastern Africa. Prevalence varies from country to country, ranging from 5 percent in Uganda and the Democratic Republic of the Congo to 98 percent in Djibouti and Somalia. According to estimates, eighteen African countries have prevalence rates of 50 percent or higher. FGM is also practiced among immigrant groups from these countries residing in Europe, North America, Australia, and New Zealand.

TYPES OF FGM AND THEIR HEALTH EFFECTS

While the nature and extent of the cutting varies geographically and among ethnic groups, the World Health Organization has placed the types of FGM into four broad categories. Type I (commonly referred to as "clitoridectomy") is the excision of the prepuce with or without excision of part or all of the clitoris. Type II (often called "excision") is the removal of the prepuce and clitoris together with partial or total excision of the labia minora. Type III (known as "infibulation") is the excision of part or all of the external genitalia and stitching/narrowing of the vaginal opening. Type IV includes all other procedures that involve the partial or total removal of the female external genitalia or injury to the female genital organs for cultural or any other non-therapeutic reason. Such procedures include the pricking, piercing, stretching or burning of the clitoris or surrounding tissues.

FGM has significant health effects for the girls and women who undergo it. The immediate effects of all types of FGM include severe pain and bleeding. Complications can cause women to suffer such problems as chronic infection, infertility, stones in the urethra or bladder, fistulae, difficulties during childbirth, and pain during sexual intercourse. While there have been few studies of the psychological complications of FGM, there have been reports of disturbances in eating, sleep, mood, and cognition among girls immediately following the procedure.

FGM also has severe detrimental effects on women's sexuality. Although it does not necessarily eliminate the possibility of sexual pleasure and orgasm, it often has that result. In some cultures this result is desired. In these cultures, women are often seen as sexually dangerous; by

Three generations of Egyptian women who have been circumcised. Girls as young as six are circumcised, September 1994.

removing all or part of the clitoris, women's sexual desire is eliminated and the risk of infidelity and family dishonor are also eliminated.

WHY DO PEOPLE PRACTICE FGM?

In the different communities in which FGM is prevalent, several common justifications are given for the practice. A number of communities practice FGM as a rite of passage from childhood to adulthood. Often in these communities, FGM is performed in conjunction with the teaching of skills for handling marriage, husbands, and children. Because FGM represents a connection to family and community, it often contains an important element of cultural identity for the people using it.

Another justification for FGM relates to beliefs about female sexuality. In societies that place a high value on sexual purity—where a family's honor could depend upon a daughter's virginity or sexual restraint—FGM is perceived as a means of preventing premarital sex and preserving virginity. In other societies, FGM is thought to reduce a woman's sexual demands upon her husband, thereby allowing him to have several wives.

FGM is often thought to be a religious requirement. It is important to note that the practice predates the arrival of Christianity and Islam in Africa and is not a require-

ment of either religion. However, it is strongly associated with Islam in several African nations. Neither the Koran, the primary source of Islamic law, nor the Hadith, the collected sayings of the Prophet Mohammed, include a direct call for FGM. While debate over interpretations of statements from one part of the Hadith continues, a number of Islamic scholars have determined that certain harmful practices are not religiously mandated.

Finally, many women are reluctant to prevent their daughters from undergoing FGM for fear of social consequences. In communities in which most women have undergone FGM, family, friends, and neighbors may exert tremendous pressure to ensure that young girls are circumcised. There is a fear that girls who have not undergone the procedure may have difficulty finding a spouse. In many societies, the negative social and economic consequences of being unable to marry make mothers unwilling to jeopardize their daughters' chances at marriage.

FGM VIOLATES WOMEN'S RIGHTS

While FGM has been recognized as a threat to women's health since as early as the beginning of the twentieth century, it is primarily since the 1980s that the practice has been addressed as a violation of human rights. The international community has taken a number of steps to draw attention to the horrors of FGM.

In 1983, the UN Sub-Commission on the Promotion and Protection of Human Rights (then the Sub-Commission on the Prevention of Discrimination and Protection of Minorities) appointed one of its members, Halima Embarek Warzazi, to serve as Special Rapporteur on Traditional Practices Affecting the Health of Women and Children. In this capacity, Warzazi has produced several reports documenting national- and international-level action to address FGM. In 1990, the Committee on the Elimination of Discrimination Against Women, the committee charged with monitoring government compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (Women's Convention), released a general recommendation pertaining specifically to FGM. In 1993, the United Nations General Assembly, in its Declaration on the Elimination of Violence Against Women, explicitly recognized that FGM was a form of violence against women. At a series of international conferences, including the World Conference on Human Rights (Vienna, 1993), the International Conference on Population and Development (Cairo, 1994), and the Fourth World Conference on Women (Beijing, 1995), FGM was given special attention, and strategies for appropriate policies and actions were outlined in the final documents. In 1994, the Commission on Human Rights appointed Rhadika Coomerswamy Special Rapporteur on Violence Against Women, placing FGM within her mandate.

Because international human rights law is concerned primarily with the actions of governments and not private parties, labeling FGM a human rights violation assumes a level of governmental responsibility for the practice. It is well known that private actors—such as family members and traditional practitioners—are primarily responsible for the practice of FGM and that governments are rarely involved, either directly or indirectly. However, governments are bound not only to refrain from committing human rights violations, but also to ensure the universal enjoyment of human rights in their jurisdictions. Therefore, a government's failure to take action to prevent the practice of FGM can be

characterized as a violation of the government's duties under binding human rights norms.

It is widely agreed that FGM constitutes a violation of women's human rights. However, if governments are to be held accountable for the practice, these rights must be identified with greater specificity. Subjecting non-consenting girls and women to FGM violates a number of recognized human rights protected in international and regional instruments. These rights include the right to be free from all forms of discrimination against women; the right to physical integrity, including the right to be free from violence against women; the rights to life and health; and the rights of the child.

THE RIGHT TO FREEDOM FROM DISCRIMINATION

The right to equality is a fundamental principle of human rights law. Freedom from discrimination in the enjoyment of protected human rights is guaranteed in every major human rights instrument. Article 1 of the Women's Convention defines "discrimination against women" as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

FGM fits within this definition. It is a practice reserved for women and girls that has both the effect and purpose of nullifying the enjoyment of certain rights. As will be discussed below, FGM has the effect of preventing women from enjoying their right to physical integrity, health, and—in some circumstances—their right to life.

Equally troubling is the discriminatory purpose behind the practice. FGM, a practice often aimed at controlling women's sexuality, carries a strong message about the subordinate role of women and girls in society. The procedure represents a societal impulse to repress the independent sexuality of women by altering their anatomy. By perpetuating the perception that women may play only the roles of mother and spouse, FGM serves to reinforce women's subordination in political, economic, social and cultural realms.

THE RIGHT TO PHYSICAL INTEGRITY

The right to physical integrity, while commonly associated with the right to freedom from torture, is derived from the right to respect for the dignity of the person, the rights to liberty and security of the person, and the right to privacy. Acts of violence interfere with a person's right to physical integrity, for they pose a threat to personal security.

In addition, the dignity, liberty, and privacy interests that are also encompassed in the right to physical integrity protect the right to independent decision making in matters affecting one's own body. An unauthorized invasion or alteration of a person's body represents a disregard for that fundamental right.

FGM interferes with a number of the protections encompassed in the right to physical integrity. The threat to physical integrity posed by FGM is particularly obvious when girls are forcibly restrained during the procedure. No less compromising of the right to physical integrity is the subjection of non-protesting girls and women to the practice of FGM without their informed consent.

A decision to alter the body of a woman or a girl for the purpose of reinforcing socially defined roles is a clear interference with the right to autonomy in decision making about one's body.

THE RIGHTS TO LIFE AND HEALTH

The right to life is a legal right protected in the provisions of several binding human rights treaties, including Article 6 of the International Covenant on Civil and Political Rights (Civil and Political Rights Covenant). While traditionally considered merely a civil right that protects individuals only from arbitrary execution by the state, members of the Human Rights Committee have interpreted Article 6 of the Civil and Political Rights Covenant to require states to take positive measures to promote the preservation of life.

The right to health is recognized in Article 12 of the International Covenant on Economic, Social and Cultural Rights (Economic, Social and Cultural Rights Covenant), which requires states to "recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." The World Health Organization has defined "health" as "a state of complete physical, mental and social well-being, not merely the absence of disease or infirmity." According to the Programme of Action of the International Conference on Population and Development (Cairo, 1994), reproductive health encompasses "sexual health, the purpose of which is the enhancement of life and personal relations." While the right to health does not guarantee perfect health for all people, it has been interpreted to require governments to provide health care and to work toward creating conditions conducive to the enjoyment of good health. To comply with this right, governments must devise health policies that take into account the needs of girls and adolescents who may be vulnerable to traditional practices such as FGM.

FGM involves the right to life in the rare cases in which the procedure results in death. Because the complications associated with FGM can have devastating effects upon a woman's physical and emotional health, this procedure has been viewed as an infringement upon the right to health. But even in the absence of such complications, FGM compromises the right to health.

Where FGM results in the removal of bodily tissue necessary for the enjoyment of a satisfying and safe sex life, a woman's right to the "highest attainable standard of physical and mental health" has been compromised. In addition, any invasive procedure—no matter how "safely" performed—entails risks to the health of the person who undergoes it. Subjecting a person to health risks in the absence of medical necessity should be viewed as a violation of that person's right to health.

Some might argue that, in a number of communities, not undergoing FGM could compromise a woman's mental health and "social well-being," which are both elements of health as defined above. Because FGM is often a prerequisite for procuring a suitable marriage partner, a girl who has not been circumcised might suffer social, emotional, and economic dislocation. However, as indicated by the large numbers of women who have advocated against FGM in their own countries, or sought political asylum in outside countries in order to avoid the practice, many women and girls view this procedure as emotionally and physically detrimental. Although it is unquestionable that women and girls will differ in the manner in which FGM affects

their mental health, there is little doubt of the physical, emotional, and societal costs of the procedure.

THE RIGHTS OF THE CHILD

Because children generally cannot adequately protect themselves or make informed decisions about matters that may affect them for the rest of their lives, human rights law grants children special protections. The right of the child to these protections has been affirmed in the Convention on the Rights of the Child (Child's Rights Convention), one of the most widely ratified international human rights instruments. Article 1 of the Child's Rights Convention defines a "child" as a person below the age of eighteen unless majority is attained earlier under the law applicable to the child. Under Article 5, states must respect the role of parents and family members in providing appropriate "direction and guidance" in children's exercise of their rights. However, under Article 1, governments are ultimately responsible for ensuring that all children's rights recognized in the Convention are protected. In so doing, they should be guided by Article 2's overarching directive that "the best interests of the child shall be a primary consideration." While this principle may be broadly interpreted to accommodate varying cultural views on what constitutes a child's best interest, such interpretations should be consistent with the Convention's other specific protections.

The international community has generally regarded FGM as a violation of children's rights. Because FGM is commonly performed upon girls between the ages of four and twelve, those primarily affected by the practice meet the definition of "child" set out in the Child's Rights Convention. Moreover, Article 24(3) of this treaty is explicit in its call to states to "abolish . . . traditional practices prejudicial to the health of children." In fact, the concluding observations of the Committee on the Rights of the Child about particular countries often include a call for government action to stop FGM. The concern to stop traditional practices that are harmful to children is also evident in the African Charter on the Rights and Welfare of the Child, which was adopted by the Organization for African Unity in 1990, and entered into force in 1999.

OTHER HUMAN RIGHTS TO CONSIDER

The use of human rights principles in advocacy against the practice of FGM has given rise to certain counterarguments, also rooted in human rights law. The right to maintain one's culture, the rights of minorities, and the right to religious freedom have been invoked to suggest that FGM should not be subject to government interference.

Because international law protects the right of groups to enjoy their culture and religion free from government intervention, some argue that government efforts to stop the practice of FGM constitute an impermissible invasion into the autonomy of private citizens. However, such assertions lack support under international human rights law. Cultural and religious rights and the rights of minorities are not absolute, and international law recognizes prescribed limitations. As indicated in human rights instruments, governments need to balance this set of rights against their duty to protect the fundamental rights of every member of society. Still, in devising strategies by which to stop FGM, governments should be sensitive to the concerns related to religion and

culture and, in some cases, the minority status of the affected community.

Examining FGM in light of human rights norms clarifies that the practice should be viewed through a prism that recognizes the complex relationship between discrimination against women, physical integrity, health, and the rights of the female child. The strategies for addressing FGM must reflect this complexity and be multifaceted in their approach.

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See also: Cultural Relativism; Women's Rights.

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Freedom of Assembly

The right to assemble freely is the right to gather and protest perceived political and social injustice. This right has a long history dating back to the Middle Ages in Europe and remains an essential human right.

Governments have usually viewed assemblies of citizens with suspicion. If the people have not gathered under government auspices, they might be gathering with anti-government purposes in mind. For this reason, most governments have had laws declaring certain gatherings to be unlawful assemblies. In some states of the United States, as few as two people gathered together can be considered an unlawful assembly. In India, the number is five. Before people can be charged with unlawful assembly, it is usually necessary to claim that they have some illegal act in mind (although in Canada, it is possible to accuse people of unlawful assembly if they make other people afraid that they might commit an illegal act—a very loose standard).

During the centuries that people have fought for political power, the right to assemble freely was one of the most impor-

Demonstration against McDonalds.

tant of the rights that they pursued. The First Amendment to the United States Constitution (in the section known as the Bill of Rights) reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

The right to assemble peaceably is essential to the ability of the people to put public pressure on a government. Freedom of assembly includes such actions as demonstrations, marches, and public speeches. Without such public gatherings, a government might assume, or claim, it had the unanimous support of the people—and the people might remain unaware of their own strength or of the degree of existing opposition to a government. It is for these reasons that authoritarian states have always put severe restrictions on the right to free assembly.

In the 1930s and 1940s, Nazi Germany created a society in which the right to assemble (along with most other human rights) did not exist. In partial reaction, the United Nations (UN) made freedom of assembly a central part of the Universal Declaration of Human Rights (ratified by the General Assembly in 1948). Article 20 of the Declaration gives all people "the right to freedom of peaceful assembly and association."

Despite the United Nations Declaration, many authoritarian regimes have denied their citizens and residents the right to assemble freely. In East Timor, Indonesian troops opened fire on peaceful demonstrators, and in Chile, General Augusto Pinochet's soldiers rounded up demonstrators, some of whom were never heard from again. South African police, under apartheid, used water cannons to disperse protestors, and some, like Stephen Biko, died in police custody.

It was not only authoritarian regimes, however, that sometimes restricted the right to peacefully assemble. In Israel, the police and army have forcefully broken up demonstrations by Palestinians demanding more rights. In the United States, attempts by labor unions to picket for better working conditions were long attacked in court proceedings, and workers were subjected to violent confrontations with government soldiers and private security guards. The right of unions to picket peacefully was finally confirmed by the Supreme Court in 1940. Later, in the 1950s and 1960s, peaceful African-American demonstrators marching for their civil rights faced police who attacked them with fire hoses and vicious dogs. And in 1970, college students at Kent State University in Ohio demonstrating against the Vietnam War were fired upon by soldiers of the Ohio National Guard. Four students were killed and many others injured.

Generally, however, the United States has been an example of a nation that protects the right to assemble freely. In cases where the cause is popular, there is rarely any government interference, and even when protesters' causes are unpopular—such as in a 1999 demonstration by the racist Ku Klux Klan in New York City—the courts have upheld the right to freedom of assembly.

In many other countries, however, this basic human right does not exist. In 1989, Chinese students went to Tiananmen Square in Beijing to demand more democracy and freedom in China. The students sang songs, waved flags, and put up imitation Statues of Liberty. (They also did their homework at night using candlelight.) The Chinese government ordered the army to forcibly disperse the demonstrators, and soldiers using tanks and machine guns

killed hundreds of students. Many of the survivors spent years in prison. Despite this blatant violation of the United Nations Declaration of Human Rights, the world did little but issue subdued protests. China, still run by the same authoritarian government, is today one of the major trading partners of the United States. There are still gatherings every year in Tiananmen Square on the anniversary of the June 1989 demonstrations, but they are gatherings of police, on guard to prevent new students from attempting to exercise their human right to assemble freely.

Carl Skutsch

See also: Freedom of Expression; Freedom of the Press; Freedom of Religion; Universal Declaration of Human Rights.

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Freedom of Expression

The right to communicate freely is entrenched in numerous human rights documents, from the First Amendment to the United States Constitution to the United Nations Universal Declaration of Human Rights (1948). The Universal Declaration of Human Rights, for example, declares, in Article 19, that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers." This is a guarantee that freedom of expression in its various forms will be allowed to exist unfettered by restraints—personal, state, or institutional. Sadly, this right is one of the more commonly attacked human rights.

To defend the right of free expression, many press-freedom and freedom-of-expression groups have been formed since the Universal Declaration was proclaimed. The World Press Freedom Committee, in its fiftieth anniversary commemorative collection of essays, provides the following analysis of the meaning of Article 19: "'Everyone'—the first word of the declaration, at the time was considered radical, and by today's standards, still is so. It empowers every person and commands every government in the world to enforce the following freedoms of expression. It is unequivocal and does not limit itself to democracies. Neither does it refer exclusively to government officials, news agencies, newspapers, university professors, or experts. It is all-inclusive."

In order to work, Article 19 must remain unqualified. Rosemary Righter, a noted British journalist and editorial writer, has argued that "untrammeled communication sets people free. It is both a statement of principle and a pledge. In the information age of today and tomorrow, that pledge will be redeemed."

It is also important to note that freedom of expression applies to more than just words. Political demonstrations, protests, and picket lines fall under the heading of freedom of expression. One of the strongest tools of a free people is the ability to organize in public to put pressure on government officials.

Freedom of expression goes beyond news reports or political protest. It includes all forms of fine art, theater, dance, and music. These freedoms are often suppressed by authoritarian governments, religious organizations, or societal pressure. Freedom of expression is the basic human freedom to communicate.

Three international representatives or guarantors of freedom of expression have been designated to monitor, report on, and challenge abuses of the rights laid down under international, regional, and national law. They are the Organization of American States Special Rapporteur on Freedom of Expression, the Organization for Security and Cooperation in Europe, the Representative on Freedom of the Media, and the United Nations Special Rapporteur on Freedom of Opinion and Expression.

Another key defender of freedom of expression is the press. Attacks on and harassment of journalists and other workers in the media industry pose a very significant threat to independent and investigative journalism, to freedom of expression,

Students in Peru flee from police who are breaking up a demonstration, Lima, Peru, 1989.

and to the free flow of information to the public. Complicity by government and public officials in these attacks is a gross abuse of power. Governments are enjoined to devote sufficient resources and attention to ending the climate of impunity and bringing to justice those responsible for such attacks.

Informal censorship is also a problem. Informal censorship refers to a variety of activities by public officials—ranging from telephone calls and threats to physical attacks—designed to prevent the publication or broadcast of critical material. Whatever the manifestation, informal censorship is just as unacceptable as formal censorship.

Freedom of expression can often be stifled by the threat of violence, even outside the boundaries of formal government action. In 1988, the author Salmon Rushdie published *The Satanic Verses,* a novel that some critics claimed ridiculed Islam and Muslims. In response, Iran's religious leader, the Ayatollah Khomeini, sentenced Rushdie to death. Rushdie did not live in Iran, but such was the Ayatollah's worldwide influence that Rushdie spent the next decade in hiding with round-the-clock police protection. That Khomeini's threat was not empty was shown by the successful assassination of one of the translators of the book. It seems quite likely that the threat of violence has kept other authors from freely expressing views that might be considered critical of Islam.

New technologies, such as the Internet and satellite and digital broadcasting, offer unprecedented opportunities to promote freedom of expression and information, the global exchange of information and ideas, and broadcasting diversity. Action by the authorities to limit the spread of harmful or illegal content through the use of these technologies should be carefully designed to ensure that any measures taken do not inhibit the enormous positive potential of these technologies. In particular, the crude application of rules designed for other media, such as the print or broadcast sectors, may not be appropriate for the Internet. New technology should not be a tool for new methods of censorship.

Leonard R. Sussman, senior scholar in International Communications at Freedom House in New York City, says that although Article 19 of the Universal Declaration sets the universal standard for the free flow of information, the annual Freedom House study of world press freedom shows that legislators in a number of countries are coming up with new ways to limit freedom of expression.

In a collection of essays published by the World Press Freedom Association, Rosemary Righter has observed that access to information is still highly uneven throughout the world. However, technological advances are making the control of information increasingly difficult. She concluded that, for all its unevenness, the improving access to knowledge and skills, and the expanding capacity to share and compare information and ideas defies "both ideas, and the censor's pen." The increased access that technology provides makes the Universal Declaration "a common standard of achievement."

Perhaps in the future, the human right of freedom of expression will be guaranteed because governments will not be able to stop the technology that allows information to flow freely. But human rights advocates cannot grow complacent: the history of censorship suggests that repressive governments will continue to see free expression as a threat and will continue to look for ways to stop it.

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See also: Censorship; Freedom of the Press.

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Freedom of the Press

Freedom of the press is the right to publish without interference from the government or private sources. The term "press" is generally understood to refer not only to printed media such as books, newspapers, and magazines but also to broadcast media such as radio and television. As traditional media publications create web sites, the press has also extended to the Internet.

All governments restrict freedom of the press to some extent. Generally, they restrict press freedom in cases where the material, if published, would endanger other people or violate public morality. For example, people usually cannot publish material that is considered libelous, obscene, or seditious. (Sedition is inciting resistance to or rebellion against lawful authority.) During times of national crisis, especially wartime, many governments place tight restrictions on the press. They often ban access to war zones or else censor stories to protect military operations and plans.

Freedom of the press varies widely around the world. Many Western-style democracies have a very liberal interpretation of freedom of the press in which the media is viewed as an autonomous, independent check on government. According to this belief, journalists encourage the free exchange of ideas by keeping the public informed. Journalists keep their sources confidential, allowing them to investigate freely without fear of reprisal or fear of their sources being revealed. In these countries, the press has a great deal of freedom to criticize government officials.

Press freedom in Western democracies is generally restricted only when it conflicts with other individual liberties, such as the right to privacy or the right to a fair trial. Freedom of the press is also limited in areas where conglomerates control most or all media outlets. This lack of competition is a growing problem in the United States. Among the countries with a generally liberal freedom of the press are Australia, Canada, the Czech Republic, France, India, Japan, the United Kingdom, and the United States.

Other countries place greater restrictions on who can publish and what can be published. Some countries use press laws not just to regulate journalists but to prevent journalists critical of the government from publishing. Among the techniques that such governments use to control the press are requiring publishers to obtain licenses setting restrictive qualifications for publishers or editors, empowering officials to suspend or seize copies of a publication, and attaching special punishments to certain convictions. In these countries, a fairly free press functions, but journalists and publications often have to be careful about what they write or say, or else risk fines or imprisonment. As a result, they practice self-censorship.

In most of Africa, civil war, political turmoil, and the legacy of Western colonialism have combined to make freedom of the press elusive. African countries such as South Africa and Ghana have created democracies in recent years that have enabled the press to speak with relative freedom. But many African nations, such as Angola and the Democratic Republic of the Congo, use military and presidential de-

News media covering the 1996 U.S. Republican National Convention in San Diego.

crees, colonial-era sedition and criminal libel laws, and the threat of detention without charge to control the media. In many of these countries there is no effective free press.

Journalists in Central and South America have gained more freedom to publish in the last twenty years. In the second half of the twentieth century, military coups overthrew socialist governments in the region and eliminated many civil liberties, including freedom of the press, using the excuse that controlling the press was necessary to maintain order. Beginning in the 1980s, democratically elected governments gradually replaced authoritarian rule in all of Central and South America except Cuba. Press censorship in the region still exists in subtle but very powerful forms. For example, politicians have intimidated journalists into censoring themselves and have used personal friendships with owners of media outlets to influence media coverage.

Leaders in many east Asian countries stress the importance of promoting stability and economic development, arguing that social order is more important than individual freedoms. This so-called Asian values theory has been used to justify bans of speech that criticize the government. Asian countries, such as Singapore and Malaysia, have laws still in effect that were introduced by Western colonial powers that prevent journalists from reporting on sensitive issues. Like the colonial-era regulations still in place in much of Africa and parts of the Middle East, these laws have remained largely intact. Yet others, such as Japan,

Hong Kong, Australia, New Zealand, and most recently South Korea, allow journalists to publish freely.

In Eastern Europe and Central Asia, journalists are generally allowed to publish far more material now than before the collapse of the Soviet Union, when communist governments in the region owned media outlets and independent journalists were banned. The Czech Republic and Hungary now give journalists a great deal of latitude. Yet authoritarian governments in Yugoslavia and many former Soviet republics, such as Kazakhstan, use restrictive press laws and other means to close down media publications they consider objectionable.

In much of the Middle East, press freedom is often sharply restricted in matters related to national security. Such restrictions are often justified as being necessary to prevent violence. In Israel and Israeli-controlled areas in the West Bank and Gaza, print and broadcast media outlets must submit news stories on topics related to national security to military censors for review. In other countries, such as Egypt and Saudi Arabia, journalists are not allowed to publish any material that criticizes the country or its leaders.

In recent years, journalists have used the Internet to expand their audience and test the limits of freedom of the press. Since anyone with a computer and a modem can reach an international audience on the Internet, journalists have used the Internet to circumvent government restrictions. The London-based *Al Quds al-Arabi* is banned in Jordan, but people in the country can access it online. When the Yugoslav government banned the independent station Radio B-92, the station's staff began broadcasting over the Internet, enabling the station to evade government censorship for years. Although the Internet is still largely limited to the rich nations of the world, it has already made censorship of the media far more difficult.

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See also: Censorship; Freedom of Expression.

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Freedom of Religion

In his 1941 State of the Union speech, United States President Franklin Delano Roosevelt called freedom of religion one of the "four essential human freedoms," saying that every person had the right "to worship God in his own way." The right to worship freely is still considered by all human rights advocates to be a basic and essential human right. It is a right, however, which historically has been in short supply. Many religions, believing that they had a monopoly on truth, have been reluctant to allow others to worship in different ways. In the time of the Roman Empire, Christians were thrown to the lions to amuse crowds of spectators at the Coliseum. During the Inquisition overseen by the Roman Catholic Church in the Middle Ages, thousands of people were tortured or killed because of their religious beliefs. In sixteenth-century England, Catholic Queen Mary I (nicknamed Bloody Mary) burned Protestant Christians to death for their form of worshipping Christ. In the seventeenth century, Puritans fled to America to escape religious persecution in England, and then persecuted other people who disagreed with their religious views.

The Golden Temple at Amritsar, India, which is the holiest shrine for Sikhs.

In the eighteenth century, Enlightenment writers like Voltaire attacked religious persecution and helped create a change of heart among Europeans. Inspired by these ideas, the French Revolution's Declaration of the Rights of Man and of the Citizen (1789) included a defense of religious freedom, which stated: "No one may be disturbed on account of his opinions, even religious ones, as long as the manifestation of such opinions does not interfere with the established Law and Order." The First Amendment (1791) to the United States Constitution provided an even stronger defense of religious freedom, stating: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The United Nations Universal Declaration of Human Rights (1948) puts the right to worship freely even more clearly. In Article 18, it states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

Support for defending religious freedom remains strong in the West, at least on paper. In 1998, the United States Congress passed the International Religious Freedom Act, which requires the president to take action against those countries the State Department says are violating the religious rights of their people. Actions taken can range from official condemnation to economic sanctions. However, although the words of the act are strong, the actual support for religious freedom is less solid. The State Department has listed some seventy countries that restrict the religious freedom of Christians, but the government has done little to oppose such persecution. In early 2000, for example, the U.S. Congress voted to allow China full trade rights with the United States, in spite of China's poor record on human rights, particularly the right to freedom of religion.

In China, the government has often seen religion as a threat to the communist ideology of the state and still cracks down on religions it views as potentially destabilizing. China's constitution guarantees freedom of religion, but requires that all worship take place in cooperation with officially approved organizations. Those religious people who wish to avoid government interference suffer the consequences. Tibetan monks endure persecution and occasional imprisonment and torture for attempting to remain loyal to the Dalai Lama, the spiritual leader of Tibetan Buddhism; Muslims in Xinjiang Province are watched by secret police agents; Christians in China face official disapprobation, censorship, and arrest. Responding to criticism of government arrests of Christian leaders, an official Chinese newspaper, the *Guangming Daily,* responded: "We must emphasize strengthening management of religious affairs within the law."

In the late 1990s, China faced the rise of a new religious movement called Falun Gong. Founded in 1992, Falun Gong was a spiritual movement based on a mixture of elements from Buddhism and Chinese mystical traditions. The movement quickly gained followers, and, in April 1999, 10,000 of these followers gathered in Beijing to protest government harassment. The organization was banned in July 1999, but continues to operate underground. Dozens of deaths have been attributed to China's coercive war

against Falun Gong, which is alleged to include torture of movement members.

In India, the Bharatiya Janata Party (BJP), a Hindu nationalist party, has been accused of raising tensions between the Hindu majority and Muslim and other minority religions. Muslim mosques and Christian churches have been attacked by mobs of Hindus wielding clubs and knives. The BJP has denied complicity in these actions, but its public statements often seem intolerant of India's traditional religious diversity. Some extreme Hindu nationalists have suggested that Christians deserved to be attacked, accusing them of attempting to undermine India's traditional Hindu civilization by trying to convert poor Hindus to Christianity with promises of free food and education. One Hindu nationalist leader, Pradeep Patel of the World Hindu Council, denied that Hindu extremists had burned down any Christian churches, saying: "The Christians themselves burned their own churches." It was the World Hindu Council that was responsible for leading a campaign against a Muslim mosque in the city of Ayodhya. After the mosque was destroyed by a Hindu mob, the resulting riots ended up killing more than a thousand people, mostly Muslims. Many Hindus have deplored this kind of narrow-minded bigotry, but it has been on the rise in many areas of India.

Many countries practice some kind of religious persecution. In Iran, members of the Bahai faith are arrested and harassed. Some of them who have been accused of having tried to convert Muslims to Bahai have been executed. In southern Sudan, Christians and African animists have been persecuted by the dominant Islamic government of northern Sudan. In Indonesia, Muslim mobs, with army support, have attacked Christians in East Timor. In Viet-

Ethiopian Jewish immigrants at morning prayers, Israel.

nam, the government persecutes some Buddhist groups that it considers dangerous.

Religious intolerance of this sort is widespread, a fact that many people in the more religiously tolerant Europe and United States are often unaware of. But even in the United States, with its First Amendment defending religious freedom for all, there are debates over the extent of that freedom. In *Engel v. Vitale* (1962), the Supreme Court declared school prayer to be against the First Amendment because it would force some students to participate in a religious ritual they might not believe in. Since then, there have been numerous attempts by Christian groups to put some kind of religious element back into the schools. These have been resisted by advocates of religious freedom who see these attempts as a way of forcing Christianity on those who may worship differently or not at all. Despite such controversies, the United States remains a bastion of religious freedom.

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See also: Dalai Lama; Freedom of Assembly; Freedom of Expression; Freedom of the Press; Universal Declaration of Human Rights.

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Mohandas Gandhi

Mohandas Karamchand Gandhi was born on October 2, 1869, in Porbandar, India. He was later honored with the title Mahatma (which means "Great-souled one" in Hindi) because of his efforts to free India from British domination. His advocacy of nonviolence made him an inspiration to human rights advocates around the world, from the slums of Belfast to the tenements of Harlem. He was assassinated on January 30, 1948.

SOUTH AFRICA AND SATYAGRAHA

Gandhi grew up in an India colonized by the British Empire. England dominated his country, controlling its wealth, commanding its army, and oppressing its people. Indians were second-class citizens in their own land. Gandhi's father worked as an Indian bureaucrat and was therefore in constant contact with India's British masters. From a young age, therefore, Gandhi was aware of the power and arrogance of the English in India.

Gandhi was raised to respect traditional Hindu religious beliefs, and his mother also taught him beliefs associated with Jainism, another Indian religion that emphasizes the practice of *ahimsa,* or non-violence toward all living creatures. Consequently, Gandhi became a lifelong vegetarian and abhorred all violence, even that perpetrated against India's oppressive British colonizers. As a young man he attended an Indian college and then went to England, where he acquired a law degree. He also met socialists and Fabians, who further helped to develop his antimaterialist and humanitarian beliefs.

After a brief return to India, Gandhi went to South Africa to practice law. In South Africa, the racist policies of the British kept ethnic Indians in the position of second-class citizens without full human rights (although they were significantly better off than the native Africans). Gandhi was offended by the racism he saw and experienced—he was once beaten merely for trying to sit in a railway coach next to white passengers—and decided to fight against it. In 1894 he formed a political league called the Natal Indian Congress and used it as a tool to coordinate Indian resistance to British racist practices. These activities attracted considerable attention among both Indians and the English. They also resulted in Gandhi's being beaten by an English mob, whose members, because of his beliefs, he later refused to prosecute.

It was during this period that Gandhi developed the non-violent techniques that he would use throughout his life to promote political change. He coined the term *satyagraha* for these techniques, which translates as "firmness in truth" (*sat* means truth, *agraha* means firmness) or, more loosely, "holding onto the truth." Satyagraha worked as follows: Gandhi and his supporters would protest and disobey laws they considered unjust; the government repression that ensued would highlight the injustice of the law and help bring about the law's repeal; if successful, it would even bring the oppressors to a recognition of their own false position. Satyagraha has sometimes been called passive resistance, but Gandhi said that this was a misinterpretation of his ideas. Satyagraha forces an

oppressor to confront the wrongness of his cause, but to bring this confrontation about requires the active participation of those who resist the oppressor. According to Gandhi, "the doctrine came to mean vindication of the truth, not by the infliction of suffering on the opponent, but on one's self." There is violence in satyagraha, but it is violence deliberately endured by the victims of oppression.

Gandhi's satyagraha campaigns achieved some limited concessions but no lasting end to British racist practices. They did, however, raise awareness of Gandhi and his methods around the world, particularly in India. Gandhi was being recognized as a fierce, if nonviolent, fighter for human rights.

INDIA

When Gandhi left South Africa for India in 1914, he arrived a well-known figure. He joined the Indian National Congress, a nationalist organization founded in 1885, and helped transform it into a mass organization dedicated to Indian autonomy. People throughout India looked to Gandhi as a moral and spiritual leader who would help rid the country of British control. His decision to wear the simple cloth dress of a typical Indian peasant helped his appeal among the common people of India. He lived a life of austerity, eating only simple foods, which allowed him to focus all his energies on seeking justice for his people.

Gandhi and the Congress were determined to achieve independence for India. Gandhi organized repeated satyagraha campaigns against the British. Boycotts of British goods, work stoppages, and strikes were all intended to put economic pressure on the British without using violence. Millions of Indians supported Gandhi's campaigns and followed his advice. The British also paid a great deal of attention to Gandhi: he was charged with sedition because of his attempts to gain India more independence. Gandhi defended himself by arguing that he was doing nothing to actively destroy the British Empire. "Nonviolence is the first article of my faith. It is also the last article of my creed." The British convicted Gandhi and put him in jail from 1922 to 1924.

In 1930, Gandhi led his most famous satyagraha, the campaign to boycott the salt tax, a tax whose burden fell most heavily on poor Indians. This campaign was massively successful in arousing public support; more than 60,000 people were imprisoned for joining the boycott. In 1932 he led another satyagraha campaign, this time against proposals that were designed to separate the untouchables, India's lowest caste, from the rest of the population. (India's Hindus traditionally are divided into five major castes.) In late 1932, Gandhi, again jailed by the British, went on a hunger strike until the British finally agreed to grant untouchables a higher status in a new Indian constitution. These campaigns of the 1930s had not gained India its independence, but they had helped to inspire many Indians with a renewed sense of purpose and unity.

In addition to his confrontations with the British, Gandhi spent much of his efforts during the rest of his life in trying to bring the untouchables into the mainstream of Indian life. He renamed them Harijans—children of God—and tried to convince high-caste Hindus to accept them as brothers. These campaigns had only limited success. Harijans did receive better treatment, but many Indians resisted treating them as equals and even today, there is a great deal of prejudice against Harijans in India. Gandhi was also troubled by the conflicts

between Hindus and Muslims in India. Although he was inspired by Hindu thought and religious practices, he believed that all Indians and all humans should be free to practice any religion. He wanted to build an India that included both Muslims and Hindus. Unfortunately, fanatics in both religions pushed the two groups apart. Frustrated, Gandhi retired from the leadership of the Indian National Congress, although he remained an influential figure in the background of Indian politics.

World War II brought the struggle between Britain and India to a new peak. Gandhi and Congress leaders, frustrated at their lack of progress, demanded that the British leave India. The British government, in the middle of a grueling war against Nazi Germany and Imperial Japan, responded by jailing the entire Congress leadership, including Gandhi, until 1944. After the war was over, the British accepted the necessity of giving India its independence, and Gandhi was heavily involved in the negotiations for independence, which was finally achieved in 1947.

Much against Gandhi's wishes, those Indians who wanted to split India into religious sections were victorious, and so the newly independent country was divided in two: Hindu India and Muslim Pakistan. The breakup of these two parts of the Indian subcontinent was extremely violent. Riots, sectarian murder, and mob violence of Hindu against Muslim and Muslim against Hindu racked India during 1947 and 1948. Gandhi worked hard to calm tensions, touring conflict-ridden areas, and, when all else failed, going on hunger strikes in an attempt to shame the warring parties into stopping the violence. His actions did little good, but inspired much hatred by Hindus who felt that Gandhi was too sympathetic to Muslims. On January 30, 1948, a Hindu fanatic named Nathuram Godse shot and killed Gandhi at a prayer meeting in Delhi.

LEGACY

Gandhi's life has become a symbol to people all over the world during their struggles for human rights. His advocacy of a moral course, his willingness to suffer personally for his views, and his rejection of violence have inspired many political movements. African-American civil rights leaders in the United States, such as Martin Luther King, Jr. and James Farmer, Catholic civil rights leaders in Northern Ireland, and other human rights leaders from around the world, such as Argentine Nobel Peace Prize–winner Adolfo Pérez Esquivel, turned to Gandhi's ideas in their attempts to resist oppressive systems.

Gandhi's legacy in his own country is mixed. On the one hand, his successes in India led to a change in British policy—his satyagraha campaigns are part of what forced the British to abandon India. However, Gandhi failed to overcome the religious hatreds that would eventually rip India into two nations. And the India that was created, even though it revered Gandhi as a holy figure, was not modeled on Gandhi's own ideas of mutual tolerance, ascetic behavior, and communal living.

Currently, Indian politics is dominated by the Bharatiya Janata Party (BJP), a political party that preaches the need for a return to Hindu values, and, critics allege, has encouraged violence against Muslims and other non-Hindus in India. While most Indians still honor Gandhi, they tend to ignore his values in their political attitudes, and some actively reject his principles. Gopal Godse, the brother of Gandhi's as-

sassin Nathuram Godse, spent eighteen years in prison because of his role in the assassination. In February 2000, when a reporter asked him if he still thought Gandhi deserved to die, he answered yes, "because he was encouraging the Muslims to kill Hindus." Gandhi's dream of universally respected human rights has yet to be realized in India.

Carl Skutsch

See also: India; Freedom of Religion; Martin Luther King, Jr.

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Genocide

Genocide is the deliberate attempt to exterminate members of a specific ethnic group. The first modern genocide took place in Turkey in 1915 during World War I (1914–1918), where Armenians were targeted by Turkish officials for extermination. Approximately one million Armenians were killed. During World War II, Adolf Hitler and the German war machine attempted to exterminate the Jewish people of Europe. Six million Jews died in the Holocaust. The most recent genocide was the 1994 massacre of ethnic Tutsi in Rwanda, in which at least half a million people were killed.

It was in part the spectacle of—and reaction to—genocide that gave rise to the modern human rights movement. People across the globe had been shocked by the horrors of World War II, especially the systematic massacre of Jews and other groups by the Nazis. The United Nations (UN) was created soon after the war for the purpose, among other goals, of preventing such genocide in the future. The UN, in turn, became the launching pad for the many human rights declarations and covenants that constitute the basis of the modern human rights movement.

In 1948, the UN General Assembly established the Convention for the Prevention and the Punishment of the Crime of Genocide. This Convention defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group."

While they were not incorporated into the Genocide Convention, it is interesting to note that the representatives of some countries proposed the inclusion of cultural and economic genocide, and others wanted to add political motivations to the definition.

The term genocide is of recent origin. Raphael Lemkin, a Polish-born Jew who worked for the U.S. War Department during World War II, coined the term in his 1944 book, *Axis Rule in Occupied Europe.* Because he viewed the Nazis' motive for exterminating Jews, Roma, and Slavs as unprecedented, Lemkin argued that "new conceptions require new terminology," and he proceeded to construct "genocide" from the Greek *genos* (race or tribe) and the Latin suffix *cide* (to kill). Lemkin's understanding of his new term was that it denoted a coordinated plan to effect the extermination of a nation or an ethnic group. Individuals suffered as victims for no other reason than because they belonged to a specific group.

In *Axis Rule in Occupied Europe,* Lemkin defined genocide as "a coordinated plan of different actions aiming at the destruction of essential foundations of life of different groups. . . . The objectives of such a plan would be the disintegration of the political and social institutions of culture, languages, national feelings, religion, and the economical existence of national groups, and the destruction of personal security,

liberty, health, dignity, and even lives of the individuals belonging to such groups."

Lemkin argued that *mass murder,* the term that was being utilized at the time to describe Nazi atrocities, did not really capture the phenomenon that had taken place in Nazi-occupied Europe. It was not adequate because of the specific motive of the Nazis, which had nothing to do with the war itself, but, rather, arose from "racial, national or religious" characteristics. Lemkin further asserted that genocide should not be confused with war crimes, which had been defined in the Hague Convention of 1907. Genocide, by contrast, was "not only a crime against the rules of war, but a crime against humanity itself," affecting the whole of humankind.

While arguing that genocide was a distinctly modern phenomenon, Lemkin, somewhat contradicting himself, described the destruction of Carthage by the ancient Romans in 146 B.C. as the oldest case of genocide. Carthage and Rome had been through a prolonged struggle for supremacy of the Mediterranean world. After decisively winning out over Carthage, certain Romans felt that every remnant of their old enemy should be eradicated. This attitude was reflected most famously in the words of Cato the Elder, who ended every speech with the assertion, "Carthage must be destroyed." When Rome finally moved against Carthage, some three quarters of the population (estimated to be approximately 200,000 people at the time) were killed. Survivors were enslaved and taken away, and whatever remained of the city was razed. In a final act of spite—an act that clearly embodies the "genocidal spirit"—the Romans plowed salt into the ground on which Carthage had stood, so that no one could ever reconstruct the city. They were so successful that to this day nothing substantial can grow on the site of ancient Carthage.

Following World War II, the Nuremberg trials established beyond a doubt that the Nazis had killed Jews and others with the goal of exterminating them as a people. Nuremberg provided Lemkin with the basis for what became a one-man crusade to promote the Genocide Convention. This Convention was adopted by the United Nations on December 9, 1948, the day before the adoption of the Universal Declaration of Human Rights. The Genocide Convention was then sent to member states. Three years later it had been ratified by enough nations for it to become part of international law. The United States did not ratify the Convention until 1988.

In the same way that the individual has a natural right to exist in the face of the threat of murder, so national, racial, and religious groups have a natural right to exist in the face of genocide. Efforts to eradicate such groups violate this right. The distinction between genocide and other acts of mass murder does not lie in the extent of the savagery, but rather in the intention to destroy a specific group.

Because of the specificity of the original definition, it has been argued that the term genocide should be reserved for certain kinds of mass murders. In *Rwanda and Genocide in the Twentieth Century*, Alain Destexhe has asserted that, using both Lemkin's definition and the definition of genocide set forth in the Genocide Convention, there have "really only been three genuine examples of genocide during the course of the twentieth century: that of the Armenians by the Young Turks in 1915, that of the Jews and Gypsies by the Nazis and, in 1994, that of the Tutsis by the Hutu racists."

the uses of the word seem reasonable—there is some justification for calling the Serbian attacks on Bosnian Muslims genocidal—but others are questionable. The attractiveness of the term lies in its rhetorical power, which is still able to evoke images of Nazi concentration camps and human crematoriums. Hence, in common with terms like *fascism* and *fundamentalism* that have also been generalized beyond their original meanings, genocide will likely continue to be used in the more general sense of mass murder or massacre.

Whether future genocides will be stopped remains an open question. During the 1994 massacres of Tutsi by Hutu, many world leaders—including those in the United States—deliberately avoided using the word genocide. If they had admitted that what was going on in Rwanda was genocide, they would have been legally obliged by the 1948 Convention to intervene. Since they did not wish to intervene, they did not admit that genocide was really happening.

James R. Lewis

Village shrine of skulls, victims of the Khmer Rouge war on the Cambodian people. The Khmer Rouge's genocidal acts killed more than 1 million of their own people.

The Khmer Rouge's slaughter of more than 1 million Cambodians is also often called a genocidal war. While members of the communist Khmer Rouge were also ethnic Cambodians, their ideology defined most of the population as being a separate people targeted for extermination. Genocide has, however, been used indiscriminately to designate almost every massacre that has taken place since World War II. Some of

See also: Crimes Against Humanity.

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Globalization and Multinational

Multinational corporations are large companies with assets in many different countries. Examples of major multinationals include General Motors, Mitsubishi, Exxon, Volkswagon, and IBM. Globalization is the process by which these multinational companies are working to turn the world into one unified marketplace; in a globalized world the idea for a product might come from the company headquarters in New York, be produced in factories in India, and then be marketed to consumers in France. The Internet and mass media, which includes Hollywood movies and American television shows, are also part of globalization, merging the nations of the world into one global culture.

The human rights impact of globalization is mixed. On the one hand, a world drawn closer together by trade can be a world in

Family gathered in front of a house leased to them by a mining company, San Mateo, Peru.

which poor people can become a bit richer by getting jobs that might not otherwise be available. Many observers, however, emphasize the negative aspects of globalization. Big companies are often more focused on profits than on the well-being, or human rights, of their workers. They are also sometimes willing to support corrupt and oppressive regimes if those governments allow them to operate freely. This all hinders human rights.

BENEFITS OF GLOBALIZATION

The essence of globalization is free trade, and it is fairly clear that free trade produces more wealth, although it is not always clear where this wealth goes. If globalization allows Nike to build factories in Vietnam that give jobs to people who might not otherwise have them, then it is reducing poverty and helping to provide the basic human right of a decent standard of living. Proponents of globalization argue that the growing corporate reach is going to turn a world, which currently has one quarter of its population stuck in poverty, into a better place for everyone.

Globalization also brings with it more than potential economic benefits. Along with Nike sneakers and cans of Coca-Cola come Western ideas like democracy and human rights. People in traditional cultures become exposed to new ideas and may begin to question their own practices. For example, female genital mutilation is widespread in parts of Africa; with the increase of outside influences that accompany globalization, this procedure is under mounting attack. Similarly, in India, the women's rights movement, pushed along by the influence of Western ideas, is slowly giving poor village women more say over their economic and personal lives.

It is also argued that the freedom of globalization helps to spread other freedoms, including the human rights freedoms of free speech, free assembly, and the ultimate political freedom: democracy. This is because people exposed to Western ideas will demand Western human rights, including democracy.

HUMAN RIGHTS HARMED?

Critics of globalization will usually agree that it has had some benefits, but they argue that the driving force behind globalization is the large multinational corporations that dominate the world economy, and these companies have no interest in human rights, only in profits. As a 1998 United Nations report put it, "[multinational corporations] are unaware of or disregard the impact their activities could have on economic, social, and cultural rights, whether at the collective level or at an individual level. These companies are frequently, if not always, behind massive human rights violations."

The size of multinational companies is staggering. General Motors, the biggest multinational in 1999, made $161 billion in gross revenues—a sum larger than the gross domestic product (GDP) of many nations, including Ukraine, Israel, and South Africa. Each of the twenty biggest multinationals had revenues greater than the GDP of Peru. This kind of economic power gives multinational corporations great leverage. It is difficult for a country to tell a large multinational to treat their workers better when that company is richer than the country, and is well aware that it can easily transfer its factories to a more cooperative country—meaning one less aggressive about defending human rights. If Vietnam cracks down on human rights abuses in Nike factories,

Nike might move its sneaker business to Indonesia.

Large corporations have also been accused of actively assisting in human rights violations in order to defend their profits. In May 1998, for example, Nigerian human rights activists took over a Chevron oil platform, threatening Chevron's profits. Four days later, Chevron helicopters ferried Nigerian assault troops to the platform to arrest the protestors. Two Nigerian protestors were killed. Chevron denied responsibility for the deaths.

Even when multinational corporations do not actively help oppressive governments, they can violate human rights by allowing pollutants and poisons to spread, thereby threatening the lives of people living near their factories. This kind of corporate disdain for the right to life can happen anywhere, but is much more likely to happen in poor countries with weak governments that are eager to lower environmental standards in order to encourage multinational investments (which is why multinationals often move their factories to such countries).

The most famous disaster stemming from this kind of multinational irresponsibility occurred in Bhopal, India, in 1984. A Union Carbide chemical plant allowed a flood of toxic gas to escape from its grounds and pour into the neighboring city of Bhopal. The gas, a pesticide compound that included cyanide, killed at least 3,000 people and permanently injured tens of thousands more. The safety precautions at the plant were far below what Union Carbide was required to maintain at its plants in the United States (which made the Bhopal plant cheaper and more profitable). Even today, the former site of the Union Carbide plant remains, according to the environmental group Greenpeace, a "toxic hot spot." Union Carbide, recently bought by Dow Chemical, is still worth many billions, with investments around the world.

Globalization has also tended to benefit rich nations more than poor ones. The world's seven largest industrial economies—the United States, Japan, Germany, Canada, France, Italy, and the United Kingdom—make up less than 12 percent of the world's population, but consume 43 percent of the world's fossil fuel production, 64 percent of the world's paper, and from 55 to 60 percent of all the aluminum, copper, lead, nickel, and tin. Translated, this means that the average person in these industrialized countries consumes and benefits from far more resources than the average citizen of the developing world. If a decent standard of living is a universal human right, globalization may have only succeeded in granting that right to a small minority of the world's population.

Globalization has brought jobs to the people of the developing world, but sometimes they are jobs working in sweatshops for less than a dollar a day. Nike, a sneaker maker, and Gap, a clothing company, are only two of many companies that have been strongly criticized because of the unhealthy conditions in their overseas factories. These sweatshops, so called because they work their employees so brutally hard, produce much of the clothing that Americans and Europeans wear, but at a fraction of the cost of similar factories in the United States. Workers in sweatshops not only receive low pay, but are often physically intimidated, prevented from forming unions (a basic human right), and compelled to work in unsafe environments. In Nike factories in Indonesia during 1999, workers were slapped and pinched, screamed at, forced to work overtime—often more than seventy-two

hours a week—and paid wages far below what was necessary to support a family in moderate poverty (some workers were paid 15 cents or less per hour).

That workers can be paid so little and treated so badly is a result, in part, of government policies that prevent the formation of independent workers' unions. Multinationals dislike unions because unions raise the cost of labor and therefore the price of the goods produced; governments dislike unions because they challenge multinational dominance and threaten to lower corporate profits (on which many governments and politicians depend for financial support). But preventing the creation of unions denies the basic human right to organize, which is covered in numerous United Nations documents and conventions. For instance, the 1948 Convention concerning Freedom of Association and Protection of the Right to Organize states: "Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization." In other words, forming a union is a basic human right, a right denied in many Third World countries that host multinational corporations' sweatshops.

Even beyond the suppression of unions, the treatment of workers in sweatshops denies them their basic human rights. The United Nations Universal Declaration of Human Rights (1948) states in Article 23 that "everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of dignity." Workers who are pinched, hit, screamed at, and underpaid are not being treated with human dignity.

Opponents of globalization see globalization personified in the major international economic institutions: the World Bank, the International Monetary Fund (IMF), and the World Trade Organization (WTO). The WTO has come under particularly heavy attack by human rights activists, who accuse of it fostering trade with countries, such as China and Indonesia, that constantly violate the human rights of their people. Crowds of human rights activists took to the streets of Seattle, Washington, during the WTO's 1999 meeting in that city, and temporarily shut down Seattle's downtown business district. Their goal was to protest the WTO's blindness to human rights issues, and to bring these issues to the attention of the American public.

CONCLUSION

Globalization can improve the economic well-being of people, but sometimes at the cost of their political power. Outside powers, major trading partners, and international organizations, such as the World Bank and the IMF, impose conditions on poor countries that take away local political power. Large companies may also support abusive governments or practices that deny people their basic human rights. Globalization is not inherently evil, but it has the capacity to do great harm—and perhaps great good.

The solutions to the human rights threats of globalization are unclear. The United Nations Sub-Commission for Prevention of Discrimination and Protection of Minorities has suggested that multinational corporations should sign agreements with the countries with which they do business that would commit the corporations to support human, cultural, and economic

rights in those countries. How these corporations—which are often more powerful than the states they do business with—could be forced to sign such agreements, the United Nations has not yet made clear.

Carl Skutsch

See also: Child Labor; Democracy; Female Genital Mutilation; Poverty.

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Habeas Corpus

Habeas corpus is a Latin phrase whose original meaning is "thou shalt have the body" (*habeo* meaning to have; *corpus* meaning body). In its current legal sense, it allows a court or judge to demand that a prisoner be brought before them. Its purpose is to prevent prisoners from being wrongfully detained by the government or its officials, usually the police. A judge will issue a writ—a written order issued by a court—to a police department or other government body demanding that a prisoner be brought before the court. The judge will then determine whether or not the prisoner is being lawfully detained and properly treated.

The legal tradition behind habeas corpus dates back to the Middle Ages in England where it became a part of accepted common law. Writs of habeas corpus were used by judges as a way of demanding that the king explain why he had imprisoned certain individuals; this prevented kings from arbitrarily arresting people without cause. By the time of the American Revolution, habeas corpus was considered an essential right, and a belief that King George III's officials had unfairly imprisoned Americans in violation of habeas corpus was one of the factors that convinced many colonists to support independence. Because of its importance to the American revolutionaries, the writ of habeas corpus was written into the U.S. Constitution in 1787: "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." Although habeas corpus originated in the Anglo-American legal tradition, it is also accepted by other countries whose constitutions also recognize the importance of putting legal restraints on the government's power to imprison.

HABEAS CORPUS AND HUMAN RIGHTS

The United States and Great Britain are not alone in believing that habeas corpus is essential to maintaining the rights of individuals. The Universal Declaration of Human Rights states that "no one shall be subjected to arbitrary arrest, detention or exile," while the International Covenant on Economic, Social and Cultural Rights guarantees all people the right "to be tried without undue delay." These two articles, supported by other international agreements, give all people much the same rights that the tradition of habeas corpus gives in the Anglo-American legal world. They declare that police and other government bodies cannot detain people without bringing them before a court and justifying that detention.

Unfortunately, while habeas corpus exists as a legal concept, it is often ignored in practice. Around the world, people are imprisoned, detained, tortured, and sometimes murdered, all without having any chance of appearing before a court and appealing their situation.

Even in those countries where habeas corpus protection exists, it is not always effective. In the Chilean constitution, for example, there exists a legal concept called *recurso de amparo* (protective writ). The *recurso de amparo* serves much the same function as habeas corpus: it allows any-

one to petition the courts if they think a person has been unfairly imprisoned. However, it does not necessarily lead to a person's release but simply gives the court the opportunity to ascertain whether or not the prisoner is being legally held and not mistreated. During the 1970s and 1980s, the military-backed government of Augusto Pinochet arrested thousands of political opponents, many of whom "disappeared" forever. Their supporters filed habeas corpus writs on their behalf, but the courts, which supported Pinochet and his regime, ignored these writs.

The head of Chile's Supreme Court, Enrique Urrutia Manzano, dismissed the attempts at filing writs of habeas corpus, saying, "[the courts] have been inundated with a huge number of habeas corpus petitions filed under the pretext of arrests ordered by the Executive Branch. And I say pretext because most of the petitions are for persons, who, petitioners say, are disappeared—understand, not arrested—and in truth, these are individuals who live clandestinely within the country or who left the country clandestinely." Contrary to Urrutia's statement, many of those inviduals were dead. Of the 5,000-plus habeas corpus petitions sought between 1973 and 1983, only ten were granted. Chilean laws protected prisoners from unjust seizure, but its courts refused to enforce those laws.

In other countries, habeas corpus laws are enforced but under attack. In the United States, for instance, habeas corpus has traditionally been a strongly defended right. In the last fifteen years, however, there has been a trend to erode its power. Supporters of the death penalty and others hostile to prisoners' rights have argued that habeas corpus slows down the carrying out of death-penalty sentences because prisoners can appeal to higher courts to have their convictions or sentences overturned. Courts, state legislatures, and the United States Congress have all moved in the direction of limiting the right of habeas corpus. In 1996—in the wake of the Oklahoma City bombing—Congress passed the Anti-Terrorism and Effective Death Penalty Act, which limited prisoners' right to appeal their sentences. This sped up the process of executing prisoners—now they have fewer chances to appeal their sentences—but increased the risk that innocent people might be executed.

CONCLUSION

It is worrisome that countries like the United States, usually seen as strong proponents of human rights, would be reducing the effectiveness of habeas corpus. Without habeas corpus and a strong judicial system to use it, individuals are at the mercy of unscrupulous or ruthless police and risk long prison stays without hope of freedom. The right of habeas corpus is both one of the oldest and one of the most important of all human rights.

Carl Skutsch

See also: Disappearances; Human Rights, Ethics, and Morality; Police and Law Enforcement; Political Prisoners; Prisons; Universal Declaration of Human Rights.

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Health Rights

According to the United Nations Universal Declaration of Human Rights (1948), there is a human right to health. Article 25 of that document states: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

Some critics argue that the health article of the Universal Declaration of Human Rights offers the impossible. How, they ask, can health be guaranteed as a human right? But these criticisms lack validity. The article in the Universal Declaration does not carry with it the implication that governments can prevent illness or that never having a cold is an inherent human right. Rather, the article demands that everyone has the right to a standard of living that would allow for a reasonable chance of good health. Governments have an obligation to see that their people are not starving (and therefore vulnerable to diseases), that they have clean supplies of water, and that decent medical care is available when needed.

The means to fulfill the requirements of the right to health are not excessive, yet much of the world's population does not have its right to health well protected. In poor countries, poverty leads to hunger and rampant disease. Contaminated water supplies can be even more deadly than starvation: in sub-Saharan Africa, more than half the people lack consistent access to safe water. Throughout the Third World, medical care is poor, and sometimes not available at all.

In the affluent countries of the West, medical care is generally good and most citizens have their right to health reasonably well protected. But even in the West, there are exceptions.

Unlike many European countries and Canada, the United States does not have any universal health care system and instead relies on a combination of private insurance plans and a couple of government health insurance programs—Medicare and Medicaid—to fill in the missing health care gaps. But Medicare (which applies to the elderly) and Medicaid (which is only available to the very poor) do not give all Americans access to health care. Approximately 15 percent of the population is too poor to have a private health insurance plan, too well-off to qualify for Medicaid, and too young to get Medicare. As a result they go uninsured, and hope that they do not get sick.

Unlike the poor countries of the world, the lack of health care in the United States does not stem from a lack of resources. In fact, the United States spends a higher percentage of its gross domestic product on health care than any other industrialized country. The problem is that the bulk of that spending goes to benefit the top half of the income pyramid. While the wealthy get the best health care in the world, many of the rest get little medical care at all.

In many parts of the world, the mentally ill's right to decent health care is also denied. Often, the mentally ill are packed in mental institutions that are little better than prisons.

Nine-year-old with AIDS in Kampala, Uganda.

The AIDS epidemic helps to illustrate the way in which health care is unfairly distributed. In wealthy countries, a combination of drugs is available that can slow or even stop the progress of the HIV virus. In these rich, industrialized countries, these drugs are difficult for anyone below the middle class to afford. In the Third World, however, they are almost impossible to find because so few people can afford them.

The right to health is also connected to the right to life and to the existence of racial discrimination. Poorer health care results in shorter lives. In the United States, about 22 percent of African Americans lack health insurance, compared to only 15 percent of whites; partly as a result of this disparity, whites live an average of six years longer than blacks. Comparing Third World life expectancies to those of the of the First World makes the disparities even more stark. Japanese live an average of eighty years; Americans, with their uneven health care coverage, live about seventy-six years; people in Zimbabwe have an average life expectancy of forty-four years—and there are a half dozen countries with even lower life expectancies.

Beyond the health problems caused by a lack of food and decent medical care, there are also fallouts from other human rights abuses. In countries like Colombia, Sierra Leone, or Sudan, where warfare is constant and brutal, many people see their health damaged by violence. Every single day, somewhere on the planet, children are stepping on hidden land mines and losing limbs and eyes, if they are lucky enough to survive.

For most people, the promise of a right to health laid out in the United Nations Universal Declaration of Human Rights is a right yet to be fulfilled.

Carl Skutsch

See also: AIDS/HIV and Human Rights; Mental Health and Psychiatry; Poverty; Racism.

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Housing Rights and Homelessness

Throughout the world, millions of people live in inadequate housing, such as cardboard shacks and houses made of crates or pieces of tin. Even in the United States, the richest country in the world, homeless people still sleep on sidewalks, covering themselves with newspapers to stay warm. To leave these people literally out in the cold seems to many a serious violation of basic human rights.

The human right to housing is entrenched in a number of international human rights documents such as the United Nations Universal Declaration of Human Rights (Article 25 [1]), the Convention on the Elimination of Discrimination Against Women (CEDAW) (Article 14[2] and 16[h]), the Convention on the Elimination of All Forms of Racial Discrimination (Article 5[e][iii]), the Convention on the Rights of the Child (CRC) (Article 27) and, perhaps most importantly, the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Article 11[1]). The IESCR states: "[These agreements] recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions." The right to housing is a human right which should be ensured to all persons irrespective of income or access to economic resources.

The right to housing implies more than just the right to four walls and a roof over one's head. As a human right, housing is an entitlement and should not be viewed as simply a commodity. The right to housing should be seen as the right to live somewhere in peace, security, and dignity.

The right to housing cannot be viewed in isolation from other human rights contained in international human rights instruments. For example, the Human Rights Committee, which monitors government compliance with the International Covenant on Civil and Political Rights, has recognized the links between homelessness and the right to life. The Committee on Economic, Social and Cultural Rights (which monitors government compliance with the ICESCR) has noted, for example, the link between the right to participate in public decision making and the realization of the right to housing. The United Nations Special Rapporteur on the Right to Housing (1993–1995), Justice Rajindar Sachar, stated in his first report: "The right to a secure place to live is a fundamental one. The sense of security, dignity, and community gained from being able to retain a home is an essential prerequisite for the pursuit and exercise of a variety of other human rights, including the right to choose one place of residence, the right to vote, the right to popular participation, the right to health, the right to a safe environment and other rights comprising a dignified life."

Under international human rights law, in particular Article 11(1) of the ICESCR, the right to housing refers not just to "housing" but to "adequate" housing. There are a number of factors which must be taken into account in determining whether housing is adequate. In General Comment No. 4, "the most authoritative legal interpretation of the

Homeless person in San Francisco, California. Homelessness remains a problem in the United States, 1996.

right to housing," the Committee on Economic, Social and Cultural Rights has developed the following factors which must be considered in assessing the adequacy of housing:

"Notwithstanding the type of tenure (rental accommodation, cooperative housing, lease, owner-occupation, etc.), all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Governments should take immediate measures aimed at conferring legal security of tenure upon those persons and households lacking such protection, in genuine consultation with affected persons and groups."

The practice of forced eviction can be defined as the involuntary removal of individuals from their home or lands, directly or indirectly attributable to the state. The UN Committee on Economic, Social and Cultural Rights, which monitors compliance with the ICESCR, recently issued the following definition of forced eviction: "The term 'forced evictions'. . . is defined as the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. . . ."

The issue of forced evictions has long been a matter of serious concern. The Vancouver Declaration on Human Settlements stated in 1976 that "major clearance operations should take place only when conservation and rehabilitation are not feasible and relocation measures are made." In the 1988 Global Strategy for Shelter to the Year 2000, the General Assembly observed that governments have a ". . . fundamental obligation to protect and improve houses and neighborhoods, rather than damage or destroy them."

The human cost and trauma of forced eviction on individuals, families, and communities cannot be overemphasized. Evicted people not only lose their homes and neighborhoods (in which they have often invested a considerable portion of their incomes), but also are forced to relinquish personal possessions, since often no warning or notice is provided before militia, police officers, bulldozers, or demolition squads destroy their settlements. Evictees often lose key relationships, such as those which provide a social safety net or survival network of protection and which allow many

daily tasks to be shared. Other negative results of forced eviction include homelessness; insecurity for the future, including lack of security of tenure; dislocation and isolation from community, family, and friends; economic hardship and the loss of employment and employment opportunities; violence against women; the removal of children from school; the confiscation of real and personal property; a decline in health (mental and physical); and physical injury and death.

The people who are targets of forced eviction are those with the least economic and political power in society. Included in this group are people with low income; women; indigenous populations; ethnic, religious, and racial minorities; occupied peoples; and others lacking security of tenure.

Women suffer disproportionately from the practice of forced eviction, especially given the extent of statutory and other forms of discrimination against women. This often occurs in relation to property rights (including home ownership) or rights of access to property or accommodation, and the particular vulnerability of women to acts of violence and sexual abuse when they are rendered homeless.

Privatization and liberalization have become dominant economic trends throughout the world. It is commonly forgotten that these processes, which have generated so much wealth for the already privileged in society, sometimes also result in low-income people facing significant reductions in the availability of low-cost housing. As a result, large numbers of people are being evicted for non-payment of rent and are falling into homelessness.

Centre on Housing Rights and Evictions

See also: Hunger; Poverty.

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Human Rights, Ethics, and Morality

The phrase *human rights* is of relatively recent origin. Only since World War II have people tended to discuss human rights. Before that they would usually speak of "natural rights" or "natural law," but although the words have changed, the central idea is the same: that all people have certain basic rights. Human rights have been defined in many ways by numerous writers in myriad cultures. They tend to include the same rights: a right to life, a right to freedom, and a right to property. But where do such rights come from? Who grants humans their rights? Are they something natural, or something made by people?

It is important when discussing human rights to distinguish between moral claims that exist in all societies and legal defenses that may exist in a particular society. Legal rights are not necessarily the same as human rights; for example, the Nazi government in Germany in the 1930s had a legal system, but it did little to defend human rights.

A basic assumption when talking of human rights is that such things as rights actually exist; in other words, that there are human rights that we all share. While this may seem an obvious truth to some, it has not always been so. The idea of human rights—whether or not they exist and what they are if they do exist—has long been debated. This debate is the history of human philosophy. Parallel with philosophy, the world's religions have also debated the existence of human rights. Religions have usually argued that all people are protected from harm by the decrees of God (or gods), and some religious leaders have, therefore, been in the forefront of the fight for human rights.

Demonstrators in Boston, Massachusetts, protesting the effects of a new more restrictive welfare law, 1998.

(Other leaders, however, have interpreted their scriptures less generously.) Both philosophers and theologians have tried to answer the same questions: What is the true system of morality or ethics (the words can be used interchangeably), and does it offer people any absolute human rights?

WESTERN PHILOSOPHY AND HUMAN RIGHTS

The ancient Greeks were the originators of the Western philosophical tradition and therefore also of its tradition of human

rights. In the beginning, the Greeks, like most Near Eastern peoples, believed that proper behavior was decreed by the gods, not determined by people. You did what you did because the gods and the priests told you it was right and proper. In the sixth century B.C., however, this changed. Greek philosophers began to offer explanations of the world that did not include the gods.

In the fifth century B.C., the dominant Greek philosophical tradition was that of the Sophists. The Sophists denied the validity of traditional, god-derived morality, but they also denied that there was such a thing as absolute right or wrong. Each society had its own idea of right and wrong; none was any better than the others, hence, there was no such thing as universal human rights.

The first Greek philosopher to counter this moral relativism was Socrates (470–399 B.C.). Socrates argued that there were universal human values, and in these values could be found the moral rules that all people ought to follow. A good person, Socrates said, would try to determine what these universal values were. Plato (428–347 B.C.), his student, elaborated on this idea by developing a complex answer to the question of why one should do good. He argued that doing good and being virtuous did the most to give humankind a feeling of happiness, and therefore it was in the individual's interest to be a moral being. This argument, however, did not give human beings any particular human rights; it merely suggested that it was better for you if you treated others with respect. However, Socrates and Plato accepted a world in which slavery was normal and proper. Neither man suggested that slaves might have rights, or that slavery might be wrong.

A new idea in philosophy was developed by the Stoics, who followed a school of philosophy established by Zeno (335–263 B.C.), another Greek. The Stoics argued that nature provided the best guidance for people's behavior and that people should do their best to devise an ethical and moral system based upon nature. The Stoics were thus the inventors of the tradition of natural law in human philosophy. The Stoics argued that because nature had given all individuals reason (intelligence), all individuals should realize that they are all brothers and should treat one another with respect. Slave owner and slave were both equal in the Stoics' eyes. This idea that all humankind has the same rights is the beginning of modern theories of human rights. Stoicism was accepted by many non-Greeks, and was particularly popular among intellectuals in the Roman Empire. However, like Plato, the emphasis of the Stoics remained on the behavior of individuals rather than on their obligations to others.

After the fall of the Roman Empire in the fifth century A.D., ethical philosophy languished, overshadowed by discussions of Christian morality and ethics. The idea of rights was picked up again by philosophers in early modern Europe. Hugo Grotius (1583–1645), a Dutch philosopher and jurist, wrote *De Jure Belli ac Pacis* (*On the Laws of War and Peace,* 1625), in which he carried forward the Stoic idea of a natural law based on reason. Even before Grotius, an English legal tradition had developed arguing that all men had certain rights vis-à-vis the government. This tradition began with the Magna Carta (Great Charter), which King John I was forced to sign in 1215. The Magna Carta stated that Englishmen had certain basic

rights that the king could not violate: "No free man shall be taken or imprisoned or dispossessed, or outlawed or exiled, or in any way destroyed . . . except by the lawful judgment of his peers or by the law of the land." These English rights were expanded upon by the Petition of Right (1628) and the English Bill of Rights (1689).

A key document in the history of human rights came a year after the English Bill of Rights was passed by Parliament. In 1690, an English philosopher and politician, John Locke (1632–1704), published *Two Treatises on Civil Government,* in which he argued a theory of human rights based on natural law. Locke, like the Stoics, argued that all people have reason, but he went further and said that human beings' reason should tell them that they should not harm others because all humans were created by the same divine force, and therefore all shared certain rights. These rights, said Locke, were "life, liberty, and estates." A right to life meant that no person should kill another without cause (Locke did allow for self-defense); a right to liberty meant that no person should be held against his or her will; a right to estates meant a right for individuals to have property and possessions. Government, Locke said, exists to protect these rights; a government which does not protect them is a bad government and may be overthrown or ignored.

Locke's three rights became the foundation of the modern tradition of human rights. The philosophers of the Enlightenment, an eighteenth-century philosophical movement, used Locke's ideas as a starting point for further explorations of human rights. Voltaire (1694–1778) advocated the right to practice the religion of one's choice—or no religion at all. Cesare Beccaria (1738–1794) attacked the cruelties of eighteenth-century prisons, saying that abuses such as torture were violations of basic human rights. Denis Diderot (1713–1784) wrote in his *Encyclopedia* that slavery violated human rights and that all slaves had "the right to be declared free."

These ideas of basic human rights took practical form in the political documents of the eighteenth century. On July 4, 1776, Thomas Jefferson (1743–1826) wrote in the American Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness." Jefferson had taken his idea of human rights directly from John Locke; Locke's "life, liberty, and estates" became Jefferson's "life, liberty, and the pursuit of happiness." Jefferson and his fellow supporters of independence from England believed that the American Revolution was justified because King George III had violated their basic human rights (although Jefferson, a slave owner, did not believe these rights truly belonged to all men; and he certainly did not believe they belonged to women). The United States Constitution elaborated on the Declaration of Independence in its first ten amendments—called the Bill of Rights—which stated that Americans possessed certain basic rights, including the right to speak freely, meet freely, worship as they pleased, bear arms, and be free from unreasonable arrest or searches of their homes.

Motivated by the same ideals, the leaders of the French Revolution published the Declaration of the Rights of Man and the Citizen (1789), which stated that "men are born and remain free and equal in rights," and that "the aim of every political associ-

ation is the preservation of the natural and inalienable rights of man." The rights outlined by this revolutionary document included many of the same ones included in the American Declaration of Independence and Bill of Rights, such as the right to worship freely and the right to be presumed innocent until declared guilty.

Some philosophers agreed that human beings should be treated as if they had rights but took a more abstract approach than that of Locke and the other proponents of natural law. Most famous of these philosophers was the German Immanuel Kant (1724–1804). Kant's ethics made two key contributions to the idea of human rights. First, Kant argued that people, because they are rational agents (they make rational choices), must be treated as ends in themselves, not as means to an end, therefore, Kant believed that you could not harm a person merely because that harm might benefit other people. Second, Kant put forward what he called the "categorical imperative" (something which must be done): "Act only on that maxim which you can at the same time will to be a universal law." In other words, only do those things that you would wish all people to also do. You should not kill or torture because you would not want all people to kill and torture. Kant's categorical imperative closely resembles many religious commandments.

Not all philosophers agreed with these defenses of human rights. Jeremy Bentham (1748–1832), the founder of Utilitarianism, believed that the idea of natural or human rights was based upon imaginary wishes. People wanted to be treated as if they had certain rights and so they pretended that those rights actually existed. Bentham believed that natural human rights were a fiction. Bentham asked where these rights were supposed to come from; nature existed, it did not give rights. Rights came from laws, and people, rather than nature, invented those laws. In a picturesque phrase, he argued that the idea of natural rights was "rhetorical nonsense, nonsense upon stilts." In the nineteenth century, attacks upon the idea of natural rights continued, coming from both conservatives (who saw them as dangerously disruptive to society) and Marxists (who, like Bentham, thought the idea of rights foolishly idealistic). Those who attacked human rights tended to value the community over the individual. Bentham and the Utilitarians believed in the greatest good for the greatest number. Even if bringing this goal about caused particular individuals to suffer, the happiness of society was more important than the freedom of any one person. Similarly, the Marxists believed that government should serve the needs of the proletariat (the working class), not those of individuals, even individual workers. Taken to extremes, these ideas led directly to the totalitarian ideologies of the twentieth century, which completely ignored human rights.

The twentieth century saw both vicious attacks on, and renewed interest in, the idea of human rights. In the early part of the century, the prevailing trend in philosophy was to dismiss the idea of absolute human rights. The philosophical movement known as logical positivism (championed by A. J. Ayer) advocated that since moral statements could not be empirically proven to be true, they had no meaning or importance. The horrors of two world wars, which killed millions of people, many in ways that violated people's instinctive belief in certain human rights, helped renew interest in a philosophy that included human rights. In the years since World War II, there has been

a renewed emphasis on applied ethics and attempts to defend the idea of basic human rights. Many modern philosophers support the idea of basic human rights. (Peter Singer, for example, a modern Utilitarian, has attempted to prove the importance of taking a moral stand on issues such as bioethics and asylum.)

RELIGION AND HUMAN RIGHTS

Although the defense of human rights that is enshrined in many national constitutions throughout the world is rooted in Western philosophy, the philosophical tradition is not our only source of ideas on human rights. Many of the world's religions have been around much longer than philosophy, and for many people they offer a better defense of human rights than does philosophy.

One of the central problems of philosophy and human rights is the question of source: where do our rights come from? Religion solves this problem by having the rights granted by a higher power or powers. The answer to the question "why should I do good things?" is "because God tells you that you must."

The Judeo-Christian tradition has been central to defining human rights in the Western world. This ethical tradition has two sources, the Old Testament (called the Torah by Jews) and the New Testament. The Old Testament contains one of the central moral pronouncements of human history, the Ten Commandments, which, according to the book of Exodus, were given to Moses by God. The fifth commandment states: "thou shalt not kill." For many, the human right to life can be traced to this one short sentence. The Old Testament does not, of course, rule out all killing. Killing in self-defense or for a righteous cause is both allowed and encouraged. Exodus tells the Jews to punish crimes with "life for life, eye for eye, tooth for tooth"; this justifies a morality of revenge, including the death penalty, which many human rights advocates reject. Still, although the Old Testament remains a contradictory source for human rights, it offers many statements—"thou shalt love they neighbor as thyself"—which have fed a Western tradition of respect for human rights.

The New Testament, which covers the life and beliefs of Jesus Christ and the writings of some of his followers, expands on the Old Testament's idea of human rights. In the Sermon on the Mount, Jesus speaks to his followers and tells them, "do unto others as you would have them do unto you." This sentence is often called "the golden rule." The early Christians tended to treat all men as brothers, and therefore condemned both war and slavery. Some later Christians discovered defenses for both these practices within the Bible, but within Christianity there has always been a tradition—not universally followed—of opposing violence and injustice. During the wars of the twentieth century, many Christians refused to participate, citing the fifth commandment. These "conscientious objectors" were reviled by some patriots but saw themselves as continuing a long Christian habit of defending the right to life.

Other religious traditions also support the idea of human rights. Hinduism, the dominant religion in India, traces its roots back to the Vedas of the fifteenth century B.C. The Vedas are a series of songs, stories, and pronouncements that portray a world in which justice is inherent. Since morality is built into the fabric of the world, doing the right thing puts one in harmony

with the universe. Vedic commands include non-violence and social justice (helping the poor), both central to human rights. Jainism, an offshoot of Hinduism, is even more strict in its calls for non-violence. Jains argue that even violence against animals is wrong. Jains also say that good behavior requires that people not only avoid doing harm, but actively try and do good. Letting someone suffer is, for the Jains, as bad as hurting them yourself. Although a minority faith, Jainism is still practiced in India.

Buddhism is the other great religious tradition to grow out of India. Followers believe that Siddhartha Gautama, who lived in the sixth century B.C., was the Buddha, or Enlightened One, who was able to recognize the essence of proper human behavior. According to Buddhists, the road to Nirvana, or enlightenment, is to follow the eightfold path, which includes proscriptions against harming others or allowing them to come to harm. Like the Jains, Buddhists say that all life is sacred.

In China, the central philosophical tradition is that of Confucianism. Confucianism is sometimes portrayed as a religious system, but Confucius (551–479 B.C.) himself never claimed to be a religious leader. Instead, he saw himself as a teacher of ethics. The ethical system developed by Confucius puts all people into a social system with rights and obligations toward all others. Confucius wanted to create a world in which all people were treated with justice. One of the central defining statements of Confucianism is, "what you do not want done to yourself, do not do to others," foreshadowing the golden rule of Jesus Christ.

Of course, even though all these religious traditions contain within them strong defenses of human rights, they have also been used to justify great attacks on human rights. Their scriptures are complex and have been interpreted in many ways. In the early nineteenth century, Christians in the southern United States used the Bible to justify slavery, while Christians in the North used it to show that slavery was wrong. Each group chose their own verses and ignored those that contradicted their beliefs. Religion, like philosophy, has not been a consistent human rights advocate.

WHAT ARE OUR HUMAN RIGHTS?

Out of these philosophical and religious traditions, what are the rights that all humans are supposed to have? There is, of course, no absolute agreement, but there are certain rights that have been accepted by a large number of people at the dawn of the twenty-first century. Some basic human rights include:

- right to life;
- right to liberty;
- right to property;
- right to privacy;
- equal treatment before the law;
- freedom of speech;
- freedom of religious worship;
- freedom from torture;
- freedom from cruel and inhumane punishment;
- freedom from discrimination, whether based on race, gender, religion, or sexual orientation;
- freedom of movement and residence;
- right to an adequate standard of living;
- right to education.

These rights are not universally accept-

ed by all societies, but they are accepted by many and are a starting place for a discussion of human rights. They are not completely consistent—what do we do if one person's right to freedom from discrimination conflicts with another's right to speak racist words freely?—but nothing in human society is consistent. In addition, the source of these rights is not completely agreed upon: are they legal rights, natural rights, or do they stem from religious teachings? As long as the idea of human rights is accepted by many, however, its exact origin may not be important.

Carl Skutsch

See also: Asylum; Bioethics; Conscientious Objection to Military Service; Freedom of Expression; Freedom of Religion; Habeas Corpus; Totalitarian Ideologies.

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Humanitarian Intervention

It seems strange to link armies—which sometimes can cause so much bloodshed and suffering—with the idea of protecting human rights, but that is exactly what happens with humanitarian interventions: military troops are used specifically to protect human rights.

If some armies have a long history of being tools of oppression, others have been opponents of oppression. After all, it was the allied armies of the United States, the Soviet Union, and the United Kingdom that were given the task of destroying Adolf Hitler's repressive totalitarian dictatorship. And after Saddam Hussein invaded Kuwait, it required American and allied armies to free that country and its people. Sometimes repressive regimes can be deposed only by military invasion. A recent trend has emerged in which armies are being used to intervene in defense of human rights. Sometimes supported by the United Nations, sometimes organized by regional political alliances, nations have sent their soldiers into countries where egregious human rights violations were taking place in an attempt to stop them. These military actions are called *humanitarian interventions*.

The basic idea behind humanitarian interventions is that in cases in which a government is attacking its own people, threatening or stripping away their human rights, the only thing that can stop such action is the armed intervention of other governments. Normally this kind of invasion is contrary to international law, but when the human rights of large numbers of people are being threatened, advocates of humanitarian intervention argue that other countries have both a right and an obligation to intervene in order to stop those human rights violations. National sovereignty—the right of nations to be left alone by other nations—is ignored when crimes against humanity are occurring. The classic theoretical example of humanitarian intervention is one that never happened: the invasion of Nazi Germany. Few would deny that the world's nations would have been justified if they had invaded Germany in order to stop Hilter's elimination of the Jews and other people. Sadly, when the Allies finally entered Germany, it was far too late.

The most recent series of humanitarian interventions was triggered by the Bosnian civil war of 1992–1995. In Bosnia, the world watched with horror while ethnic Serbian militias forced Croats and Muslims out of their villages in a brutal process called "ethnic cleansing." United Nations peacekeepers were sent but accomplished little. It was not until the North American Treaty Organization (NATO) launched air strikes in 1995 that the Serbs agreed to make peace. Foreign soldiers, including Americans, were then sent into Bosnia to keep the peace, and they have remained there into the twenty-first century. Despite the flaws of this intervention (most glaring being its long delay), it did manage to end the fighting and the accompanying human rights abuses, suggesting that armed forces could be used in the same way in the future.

Since Bosnia, there have been a number of other humanitarian interventions. Some have been more successful than others. A 1992 international intervention in Somalia was designed to stop the civil

United Nations armored vehicles on a road in Croatia, July 1993.

wars in that country and restore food deliveries to starving people. After some initial success, the intervention fell apart when American troops began to intervene in the local political situation and some troops were killed as a result. The Americans, upset at the loss of their soldiers (some of whose bodies were publicly dragged through the streets), pulled out in early 1994 and were followed by the other military intervenors. Somalia descended back in to chaos.

More successful was the 1999 intervention in Kosovo. Kosovo had been brutalized by years of Serbian oppression and human rights violations. In 1999, when it seemed the Serbs were bent on ethnically cleansing the entire province, NATO troops, led by the United States, launched a bombing campaign, which forced the Serbs to withdraw. An international peace-keeping force then moved into the province and has remained there, preventing any further Serbian violence against the Kosovars. However, some critics of the Kosovo intervention say that the American bombing campaign was itself a human rights violation because it led to the deaths of Serbian civilians.

It seems perverse to use violence to stop violence, and there is an old adage that violence never solves anything. It is true that violence is a clumsy human rights tool, but sometimes it may be the only tool available. When facing regimes that wish to harm their own people or people living under their control, and who are not bothered by international outrage and condemnation, the only way to stop them may be to threaten to bomb or invade. If threats do not work, actual invasion or bombing may be necessary. In Bosnia and Kosovo, the people begged for military intervention. Surely, their requests must be taken seriously.

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See also: Armed Forces; War; War Crimes.

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Hunger

Hunger is one of the worst crimes against human rights. Without food in your stomach, political rights such as the right to speak freely or the right to vote seem less relevant. The right to eat, along with the right to housing and health, are starting points for all other human rights.

Hunger and malnutrition can have two causes: either there is no food available, or there is food available that cannot be accessed by the deprived persons. Marginalized people, who are not given access to land, pastures, or fishing grounds, lack access to food because they cannot produce enough on their inadequate resource base. The yield per acre from the fields of the rich and the overall availability of food are irrelevant for them, if they are too poor to buy this surplus, and store food is useless if it cannot be obtained by those who need it.

There is no doubt, according to experts, that enough food is available (or could be produced), not only on a global scale, but also in almost every country—even in those where large numbers of people suffer from malnutrition. Many of the so-called poor countries produce more than enough food, not only for their internal markets, but even for export. These countries sell their food overseas because foreign markets can pay more than their own poor can pay. In a market economy, people who are too poor to exercise effective demand will not have food. Hunger and malnutrition today are normally not a question of food availability, but rather of poverty.

The right to food is part of a number of international conventions and declarations, including the following:

1. The Universal Declaration of Human Rights, 1948. This document declares, in Paragraph 25: Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food."
2. The International Covenant on Economic, Social and Cultural Rights, 1966. This document states the existence of the "right to an adequate standard of living including food, housing, clothing." Moreover, it recognizes the "fundamental right of everyone to be free from hunger."
3. The Universal Declaration on the Eradication of Hunger and Malnutrition, 1974. The Universal Declaration on the Eradication of Hunger and Malnutrition proclaims: "Every man, woman, and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties."
4. The Rome Declaration on World Food Security, 1996. This document states: "We the Head of State and Government, or our representatives gathered at the World Food Summit at the invitation of the FAO [Food and Agricultural Organization of the United Nations], reaffirm the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger."

Moreover, the right to food is mentioned in a large number of other international declarations and resolutions.

Street children in Albania after begging for money and food, 1991.

The International Covenant on Economic, Social and Cultural Rights came into force in 1976 and is valid international law for those states—some 140—who ratified it. Considering the large number of pronouncements by the international community on the human right to food, there are good reasons to claim that this right has even become part of customary international law.

James R. Lewis

See also: Housing Rights and Homelessness; Poverty.

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Impunity

Imagine that Adolf Hitler were alive today, having committed all the crimes that he actually committed, but instead of being kept behind bars, he were allowed to live in a pleasant mansion, surrounded by servants and friends. This is impunity. And while Hitler is gone, there are many dictators and heads of state around the world who have tortured, raped, and murdered, and yet have not been punished. When a human rights violator lives with impunity, he enjoys freedom from prosecution no matter how severe his human rights violations. Whether he is a Serbian foot soldier who followed orders to rape and beat Bosnian Muslim women, or the Chilean General Augusto Pinochet who allegedly ordered his troops to torture thousands of Chile's citizens, when he lives with impunity, the perpetrator does not fear having to account for his actions in a court of law.

While most in the human rights community oppose this freedom from prosecution, and the international community has passed powerful global treaties calling for the punishment of human rights violators, a whirlwind of debate continues among politicians and the public that questions whether calling human rights violators to account for their actions is always in the best interest of peace and economic prosperity.

In some cases, critics argue, justice and peace may in fact be incompatible. In his essay, "The Precarious Triumph of Human Rights," David Rieff argues that in some instances amnesty laws, although they establish a culture of impunity, may be in the best interest of a nation when "continued conflict risks destroying a country, as was recently the case in the Sierra Leone." Rieff admits that Sierra Leone's "Revolutionary United Front guerrillas committed the most unspeakable atrocities and war crimes . . . [yet] in the name of peace, the Government agreed not to prosecute. . . . In order to seize what was almost certainly Sierra Leone's only chance, justice had to be sacrificed. And as a result, a fragile peace reigns in Freetown for the first time since 1991."

But some human rights advocates argue that without justice, lasting peace and the rule of law cannot prevail. In her book, *Impunity and Human Rights in International Law and Practice,* Naomi Roht-Arriaza asserts that "any transition from authoritarian rule to greater democracy necessarily involves efforts to establish and promote the rule of law. Societies in which massive human rights violations occur with impunity are by definition lawless societies." Roht-Arriaza goes on to emphasize that "blanket amnesty and silence from the new government perpetuate the existence of a separate class to whom the rule of law does not apply. Continued impunity equally undermines efforts to establish legality." Many in the field of human rights argue that failing to enforce human rights norms undermines the very system of law a just form of government needs to exist. Human rights advocates also argue that when victims do not receive justice, their resentment toward the original perpetrators can fester and grow over time, causing lasting and sometimes increasing internal tension that can later manifest itself in further civil unrest.

When making decisions on whether to grant amnesty in the name of peace and

economic progress, governments tend to see peace as being good for the entire country, while they see attempts to seek justice and prosecute human rights violators as a good only for those who were tortured. As a result, amnesty laws are often passed, which claim to seek the greatest benefit to society in the form of peace and economic progress, even when they come at the price of injustice to the few.

One of the most important reasons the United Nations gave for establishing international human rights norms was that when human rights violations are committed, all of humanity suffers. The UN asserted that human rights violations are so abhorrent that they not only harm those tortured and their loved ones, but also the entire state in which they occur, and, indeed, they harm the very essence of humanity. Therefore, when a state of impunity reigns, it is not simply those tortured who are denied justice, but all of humankind.

Prosecution of human rights violators by an outside state or an international court has a number of beneficial results. It reaffirms the rule of law, grants closure to those victims who are still alive, and fulfills the demands of justice.

There have been some signs that countries are becoming more willing to prosecute human rights violators. The recent court trials in England of former Chilean dictator Augusto Pinochet prove this. A Spanish judge attempted to have Pinochet arrested

Anti-Pinochet demonstrators in Chile protesting his swearing in as a senator. Many charge that Augusto Pinochet was responsible for thousands of deaths and disappearances, March 1998.

and brought to Spain to be put on trial for his human rights violations. The Spanish judiciary aggressively pursued Pinochet's case through British courts, shaking his mantle of invulnerability.

Although the British government eventually decided not to extradite Pinochet to Spain, it justified its decision based on reports stating that Pinochet was medically unfit to stand trial. It did not deny the courts had the right to pursue human rights violators. Even though Spain was a third party in the legal conflict, and despite Pinochet's senator-for-life status in Chile—which he designed to provide himself with everlasting immunity and which his supporters hoped would grant him diplomatic immunity—England held that Spain still had jurisdiction to prosecute Pinochet.

While international law dictates that the first party responsible for bringing human rights violators to justice is the country where the violations took place, when those countries do not bring these alleged criminals to justice, the burden of enforcement then falls on international tribunals and third-party countries. More and more, outside bodies such as Spain and the International criminal tribunals are stepping up to enforce human rights laws in their own courts of law.

Dictators and human rights violators are less secure than they used to be. The "Pinochet effect," as some journalists have dubbed the repercussions stemming from the Spanish lawsuit, means that impunity is in danger of being overturned.

Ross Hanig

See also: Extradition.

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Indigenous Peoples

Indigenous peoples is a term used to describe the original inhabitants of a region or country. Peoples considered indigenous include American Indians, the Sami of Scandinavia, the Maori of New Zealand, and the Aborigines of Australia. The International Labor Organization, a United Nations affiliate, in its Indigenous and Tribal Peoples Convention, defined indigenous peoples as "peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions." However they are defined, the indigenous peoples of the world face unique threats to their human rights. Almost always outnumbered in the country where their ancestors were the first inhabitants, indigenous peoples face threats to their culture, their traditions, their political autonomy, and often their lives.

BACKGROUND

The issue of indigenous peoples' rights is relatively new. For most of human history, the idea that the original inhabitants of a land had any rights was not embraced by the invaders who conquered them; the indigenous peoples were expected to accept the laws and culture of their conquerors or face extermination.

Extermination, in fact, became the lot of many of the world's indigenous peoples, particularly during the waves of European conquests that spanned the sixteenth through the nineteenth centuries. When the Spanish came to the Americas, for example, they used the native Indians as slave laborers, killing off large numbers of them through overwork. The indigenous peoples of the Caribbean did not survive this organized slaughter. This is why some historians portray Christopher Columbus—who claimed the Caribbean for Spain—as an architect of genocide, rather than as the heroic discoverer of the New World. (In fact, some indigenous peoples' advocates have even lobbied the United States Congress to change Columbus Day to Indigenous Peoples Day.) The Indians of Central and South America also suffered devastation, although not total annihilation. In the United States, vicious wars and cruel treaties wiped away much of the native population of North America. Similar stories can be told about the indigenous peoples of Asia and Africa.

In the early twenty-first century, the situation for indigenous peoples has changed slightly for the better. While the cultures of indigenous peoples are still under assault, the threat today is somewhat less deadly, coming usually from rapacious corporations rather than murderous governments. Nevertheless, the cultural devastation caused by the inroads of modern capitalism can be almost as devastating as the military invasions of the past. Unlike in the past, however, today's indigenous peoples have some international defenders. The United Nations, with its tradition of defense of human rights, has been at the forefront of defending indigenous peoples' rights and

has been joined by many private organizations dedicated to defending the human rights of indigenous peoples.

The roots of the United Nations' support for indigenous peoples' human rights can be found in the United Nations Universal Declaration of Human Rights (1948). Article 15 of that document states: "Everyone has the right to a nationality." In the years since the Declaration was first ratified, this human right to nationality has been recognized to include the right of indigenous peoples to maintain their own culture and heritage, even within the boundaries of states whose governments do not share that heritage. An American Indian has the right to maintain the language and traditions of his ancestors, just as a Maori has the right to preserve her culture, and it is the obligation of their governments—the United States and New Zealand, respectively—to protect those basic human rights.

Although a reasonable reading of the United Nations Universal Declaration of Human Rights gave indigenous peoples the right to maintain their own cultural integrity, there was at first no specific document defending their human rights under international law. A key event in the world's move toward recognizing the rights of indigenous peoples came with the United Nations–sponsored International Conference on Discrimination Against Indigenous Populations in the Americas, which took place in 1977 in Geneva, Switzerland. This Conference condemned all discrimination against indigenous peoples and called upon the world's governments to vigorously de-

Two Long-Necked Karen tribeswomen, refugees from Myanmar s (Burma s) repressive government, September 1993.

fend the rights of the indigenous peoples living within their borders.

In a further step toward emphasizing the importance of human rights for these groups, the United Nations declared 1993 to be the Year of Indigenous People. Two years later, the United Nations declared 1995–2005 to be the International Decade of the World's Indigenous People.

ISSUES

The United Nations' increased recognition of indigenous peoples' significance demonstrates the importance of the human rights issues of indigenous peoples. A central human rights issue is the right to exist as an autonomous culture. There are many threats to indigenous peoples' traditional cultures. Many governments, particularly in dictatorships or totalitarian states, prefer that all residents of their countries all live the same way and under the same laws. Indigenous peoples' attempts to maintain the traditions of their fathers and grandfathers and mothers and grandmothers run counter to this centralizing tendency. Even in societies, such as Western democracies, where individuals are allowed great freedom, indigenous peoples often find their cultures under attack. The lure of consumerism may make traditional methods and customs seem quaint or old-fashioned to a younger generation tempted by a media onslaught of advertising in which satellites can beam ideas and products onto television sets deep in the Amazon jungle.

A key organization in publicizing the human rights difficulties of indigenous peoples around the world is the World Council of Indigenous Peoples. The council attempts to unify the many indigenous peoples' movements around the world, and also bring the plight of indigenous peoples to the attention of the industrialized world.

In a 1997 report created for the Rio+5 Meetings (a series of events which took place five years after the original 1992 United Nations Conference on the Environment and Development, popularly known as the "Earth Summit," in Rio de Janeiro, Brazil), the World Council of Indigenous Peoples laid out what it thought were the central human rights issues for indigenous peoples. In the council's opinion, the main element necessary for the protection of indigenous peoples' human rights was the active involvement of the government on the behalf of indigenous peoples: "National governments [and] local ministries must help to protect the rights of the Indigenous Peoples in their jurisdiction. This is essential to the continued survival of Indigenous Peoples."

The United Nations was already on record as agreeing with these sentiments. The 1989 Indigenous and Tribal Peoples Convention focused on the obligation of governments to defend indigenous peoples' human rights. Article 2 of the Convention states: "Governments shall have the responsibility for developing, with the participation of the peoples concerned, coordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity." The rights protected included "social, economic and cultural rights," specifically "social and cultural identity, . . . customs and traditions and . . . institutions." The Convention also emphasized the need to "eliminate socioeconomic gaps that may exist between indigenous [peoples] and other members of the national community." In other words, governments have an obligation to defend both the cultural rights and economic well- being of indigenous peoples living within their borders. Ar-

ticle 3 of the Convention emphasized that this was a human rights issue, stating: "Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination."

The United Nations' emphasis on government support recognized the reality that governments, while they can be a great threat to indigenous peoples' existence, are also often the best defenders of indigenous peoples' survival. Government support is critical because all too often large private corporations use indigenous peoples' political and economic weakness to take advantage of them and exploit their environment and their world. The movement of large multinational corporations into the jungles of Brazil and Myanmar (Burma) has resulted in the destruction of centuries old traditions and ways of life, the net effect being a kind of cultural genocide—a clear human rights violation.

Reparation is one issue that has become increasingly prominent in debates revolving around indigenous peoples. Many indigenous peoples have begun to suggest that they are owed financial compensation for the lands that were stolen from them by invading governments. This money would be used to make up for the suffering caused by centuries of human rights violations. The Indian peoples of the United States have been particularly active in this area, some of them even demanding damages in lawsuits against the United States government.

Even seemingly trivial issues can be important to indigenous peoples. The question as to what indigenous peoples should be called has long been debated. In the early days of the struggle for indigenous peoples' human rights, they were often labeled "savages," "natives," and, more kindly, "tribal peoples." All these labels were offensive because they implied that these groups were primitive and lacked civilization. The labels, thus, were a form of racism, which is a form of attack on the human rights of its victims. Indigenous peoples went to great efforts to prove to the world that their cultures were not less civilized, but simply were different. If they did not follow all the practices of the industrialized world, they had their own traditions and values, which they considered equally valid and which they felt should be accorded equal respect. As a result of these efforts, the old labels were dropped and new ones adopted. "Indigenous peoples" has become the preferred label, but others that are popular are "first peoples," and "Fourth World" peoples.

Of all the human rights that might be accorded to indigenous peoples, the right of self-determination is perhaps the most important. Indigenous peoples with the right of self-determination can create their own governments, protect their own societies, and treat other governments on something approaching an equal basis. Not surprisingly, most governments are reluctant to grant the indigenous peoples living within their borders this basic human right. Self-determination may allow an indigenous people to break away from the nation within whose borders it exists, taking with it a large chunk of territory.

INDIGENOUS PEOPLES AROUND THE WORLD

It is clear that governments have an obligation to protect the human rights of indigenous peoples. That this protection must extend to their cultural heritage and identity is also clear. How well they are currently succeeding at fulfilling these obligations is not entirely certain.

The treatment of indigenous peoples varies widely throughout the world. At one positive extreme are the Sami of Sweden, Finland, and Norway (the Sami have been called Lapps, but most modern Sami consider this a derogatory name). In Norway, Sami (who make up about 2 percent of the Norwegian population) are protected by law. The Norwegian government has established the Sami Rights Commission, whose purpose is to defend the political, economic, and cultural rights of the Sami. The Norwegian Sami even have their own political assembly, the Sameting, which has the right to legislate on matters of concern to the Sami. The Sami in Sweden and Finland have similar rights, including their own Sameting assemblies. Furthermore, the Sami of all three nations have combined with the Sami of Russia to form a Sami Council, which discusses issues of concern to all Sami, as well as representing the Sami in the World Council of Indigenous Peoples. Even so, life for the Sami has its disadvantages. They have seen their traditional way of life gradually fade away—few of them still herd reindeer—and every year fewer of their young people are learning to speak the Sami language.

Canada is an example of a nation that accords its indigenous peoples moderate respect for their human rights. The Canadian Indians, called the First Nations in Canada, make up 3 percent of the population and have some rights under the Canadian constitution. They can vote and have limited control over their own land reserves, which are substantially smaller than the reservations allotted to American Indians across the border in the United States. But funding for social services for the First Nations is limited, and partly as a result of this they suffer far more health and psychological problems (the First Nations suicide rate is six times the national average). The Canadian government has also done nothing to make up for its previous policy of "extinguishment," wherein First Nations lands were bought in return for small sums of money in an attempt to force the indigenous peoples into leaving their lands and being absorbed into Canadian society. Many legal experts have recognized this policy as being a violation of the First Nations' human rights.

In Brazil, the situation of indigenous peoples is much more tenuous. The Brazilian rain forests are filled with many small tribes whose existence is threatened by the advance of capitalism. Not as well organized as the Sami or First Peoples, these tribes need government help to safeguard their human rights, and, for the most part, they are not receiving it. The Yanomami, for example, have had to deal with an influx of *garimpeiros* (independent gold miners), who have illegally invaded their lands looking for quick profits. A number of Yanomami have been murdered, while others have been exposed to European diseases, drugs, and alcohol and have died as a result. Other Brazilian tribes have faced similar incursions by tin miners, loggers, and rubber plantations. Government efforts to protect the rights of Brazil's indigenous peoples have been limited, and it is quite possible that they and their cultures may disappear into the fabric of Brazilian life, victims of cultural genocide.

The indigenous peoples of Guatemala faced more than cultural genocide. For a period in the late 1970s and early 1980s, the military government of Guatemala carried out counterinsurgency campaigns against the native Maya peoples, which resulted in the destruction of several hundred Maya villages. The number of Maya killed remains unknown but is assumed to be large. Many observers accused the

Guatemalan government of being intent on destroying the Maya as a people. The restoration of civilian rule in 1985 led to an end of the military campaigns against the Maya, but they remain a people discriminated against. Even though ethnic Maya make up a majority of the population, they hold few political positions and suffer from high unemployment, poor educational opportunities, and lower life expectancies than other Guatemalans.

CONCLUSION

The worldwide population of indigenous peoples is approximately 400 million, gathered in more than 4,500 different ethnic and cultural group. Therefore, the human rights issues concerning indigenous peoples are very important.

Some countries grant indigenous peoples rights over their ancestral lands and territories. Many do not. Of those that do, few completely live up to their promises. The Scandinavian countries are nearly unique in their relatively generous treatment of their indigenous peoples. Other countries that grant their indigenous peoples some reasonable degree of autonomy and protection include the United States, India, and Australia. Unfortunately, the number of countries whose policies on indigenous peoples resemble those of Brazil or Guatemala is substantially larger than those that follow the enlightened policies of Scandinavia. Myanmar, China, and Indonesia have all been cited by Human Rights Watch for their violations of their indigenous peoples' human rights. Even Japan, with its democratic values, has been criticized for its blatant discrimination toward the Ainu, the original inhabitants of Japan.

Obviously, the world still has a great distance to go on the road toward the granting of full human rights to its indigenous peoples.

Carl Skutsch

See also: Genocide; Universal Declaration of Human Rights.

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International Bill of Rights

Because of the reluctance of the nations of the world to enter into any agreement that might compromise their own sovereignty, the United Nations Universal Declaration of Human Rights was promulgated as a resolution—passed in 1948—rather than as a treaty that would bind signers to honor the Declaration's various provisions.

Although the Universal Declaration of Human Rights has been widely cited as an authoritative document, it was not until the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)—both adopted in 1966—entered into force that the international human rights movement really acquired teeth. These covenants were treaties, meaning that they had the binding force of international law. Although the covenants were proposed shortly after the Universal Declaration of Human Rights was adopted, Cold War politics prevented them from being ratified until 1976.

Collectively, these two covenants, together with the Universal Declaration, are referred to as the International Bill of Rights. While the Universal Declaration provided a more specific delineation of the rights outlined in the United Nations Charter, the ICCPR and the ICESCR further elaborated the content of the Universal Declaration. In addition to these three core documents, other documents are occasionally mentioned as being a part of the International Bill of Rights, such as the UN Charter and the Optional Protocol to the ICCPR. In the Universal Declaration, the ICCPR, and the ICESCR the following rights are enumerated:

- Life
- Liberty and security of person;
- Freedom from discrimination;
- Protection against slavery;
- Presumption of innocence;
- Protection against torture and cruel and inhumane punishment;
- Protection against arbitrary arrest or detention;
- Humane treatment when detained or imprisoned;
- Protection of privacy, family, and home;
- Freedom of movement and residence;
- Freedom to own property;
- Freedom of thought, conscience, and religion;
- Freedom of opinion, expression, and the press;
- Freedom of assembly and association;
- Political participation;
- Free trade unions;
- Rest and leisure;
- Food, clothing, and housing;
- Health care and social services;
- Education;
- Self-determination.

From the very beginning of the international human rights movement, certain rights have been emphasized more than oth-

ers, such as the right to protection against torture and slavery. The UN has also amplified this list over time, with new agreements and resolutions designed to encompass important emerging areas of concern such as women's rights and environmental rights.

Although the International Bill of Rights is not a guarantee of rights—most of the world's countries ignore some of these rights, some countries ignore almost all of them—it sets a standard to which a nation's actions can be compared and judged. A world where all human rights are respected does not yet exist, but the International Bill of Rights provides a road map for reaching that goal.

James R. Lewis

See also: Universal Declaration of Human Rights.

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Volume Three

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Winner of the 1991 Nobel Peace Prize

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International Law

International law is the system of legal agreements, treaties, and traditions that is supposed to regulate the conduct of nations toward each other and toward their citizens. It is in the latter sense that international law has the most relevance for human rights.

INTERNATIONAL LAW AND HUMAN RIGHTS

The history of international law began with agreements between nations and groups of nations, and these agreements focused entirely on interstate relations (issues of war, trade, and fishing rights, for example). It was only in the nineteenth century that international law began to regulate the behavior of states toward individuals and thus create a body of internationally agreed upon human rights.

Before the expansion of international law into the human rights arena, human rights were defended by a long tradition of moral, religious, and philosophical guidelines that centered on a belief in the dignity and sanctity of human life. Such traditions, however high-minded, had no binding force and were often ignored. The first substantive international agreements on human rights issues were the Geneva Conventions, the first of which was signed in 1864. These international agreements regulated the conduct of wars, limiting, by common agreement, what countries could do to each other's citizens and soldiers in time of war. In 1949, the nations of the world agreed to a revamped set of Geneva Conventions that required signatories to respect the human rights of enemy soldiers and civilians. More than 150 nations have signed the Geneva Conventions, and if few of them have obeyed them at all times, it seems clear that the agreements have helped to reduce some of the evils caused by war.

After 1945, the United Nations, in an attempt to make sure that the horrors of World War II would never be repeated, oversaw passage of a series of international agreements designed to make the defense of human rights a part of international law. The central document in these international agreements was the United Nations Universal Declaration of Human Rights. Passed in 1948, the Declaration outlines the rights that all governments are obliged to grant their citizens. Most of the world's nations have signed the United Nations Universal Declaration of Human Rights (although many of them do not scrupulously follow its articles). Supporting and expanding on the Universal Declaration of Human Rights are other documents, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant of Civil and Political Rights, both of which were adopted by the United Nations in 1966.

There are also numerous other agreements that have been ratified by the United Nations, each of which covers some specific aspect of human rights and international law. Perhaps the most important of these is the Convention on the Prevention and Punishment of the Crime of Genocide, which was passed by the United Nations in

1948. This Convention requires all signatories to agree that "genocide, whether committed in time of peace or in time of war, is a crime under international law which they [the contracting parties] undertake to prevent and to punish." Other United Nations human rights declarations include the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, signed in 1963, and the Declaration on the Elimination of Discrimination Against Women, signed in 1967.

INTERNATIONAL COURTS

One of the difficulties preventing the effective protection of human rights by international law is that there is no universally agreed upon supervisory body to regulate international law. The rights outlined in the United Nations–sponsored international treaties are noble ones, but the United Nations is often unable to enforce them.

One of the six principal organs of the United Nations is the International Court of Justice (ICJ)—also known as the World Court—but the ICJ hears only cases brought before it by states that have agreed to accept its jurisdiction. In 1947, the United Nations created the International Law Commission (ILC), but this body only has the authority to suggest changes in international law. It remains up to the United Nations General Assembly to act on the ILC's recommendations and pass treaties which lay out new codes of international law. Even then, these laws are not binding on a country until that country ratifies them. In essence, the whole process depends on the cooperation of the states involved. International law, as supervised by the ICJ and the ILC, is more like non-binding arbitration than a conventional court system. If, for the sake of international harmony, two disputing countries agree to be bound by the ICJ's opinions, a legal dispute can be resolved; if they do not, there is nothing the ICJ can do to stop them.

In 1993 and 1994, the United Nations created war crimes tribunals to prosecute the human rights violations that were then occurring in the states of the former Yugoslavia and in Rwanda. These tribunals prosecuted and convicted some of the criminals responsible for genocide in those countries, but were ad hoc courts, with no jurisdiction outside their assigned area of operations. To the extent that they were successful—and their success is debatable, as the most senior war criminals in both areas have managed to escape trial and incarceration—it was because they were backed by the military might of the industrialized countries, particularly the United States.

In order to prosecute future human rights crimes on a less ad hoc basis, the United Nations, in 1996, voted to create an International Criminal Court (ICC). The ICC was authorized to try crimes against humanity, including genocide, war crimes, slavery, mass rape, torture, and racism. Unlike the ICJ, the ICC was authorized to render legal opinions without the consent of all parties; in that sense, it functioned much more like a traditional law court. While the ICC was a step in the direction of a permanent world court, it was hampered by the reluctance of some nations, including the United States, to submit their sovereign power to an international body. Moreover, in practice, there is still the question of compliance. The ICC may convict a North Korean leader of crimes against humanity, but without its own police force, it cannot enforce its own ruling, and instead must rely on the military might of United Nations member states to ensure obedience to its legal decisions.

CONCLUSION

Paradoxically, international law remains both a vital and a weak defender of human rights. Internationally accepted codes of conduct, such as the United Nations Universal Declaration of Human Rights, provide a clear definition of the rights of all individuals, wherever they may live. But while these documents provide important moral and intellectual support for human rights defenders, they have only a limited effect against countries that choose to ignore their existence. Enforcement of international law requires the political, and sometimes military, cooperation of the nations of the world, and sometimes such cooperation is impossible to obtain. In cases like the attempted genocides in Bosnia and Kosovo, or the Iraqi invasion of Kuwait, it was possible to create an international coalition (in all three cases, supported by the United States, the world's biggest military power) to enforce international law. But when human rights violations are committed by powerful states—like Russia in Chechnya or China in Tibet—little can realistically be done. Yugoslavia's government can be pressured by American bombs into obeying international law, but no American president would try the same kind of pressure on nuclear powers like Russia or China. International law has done much to defend human rights, but its impact is necessarily limited by the realities of power politics.

Carl Skutsch

See also: Human Rights, Ethics, and Morality; Trials; United Nations; Universal Declaration of Human Rights.

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Martin Luther King, Jr.

Martin Luther King, Jr., was born on January 15, 1929, in Atlanta, Georgia. The son of an African-American Baptist preacher, he became a Baptist minister and rose to prominence as a civil rights advocate. King used Mohandas Gandhi's ideas of non-violence in his attempts to eliminate racial discrimination in the United States and thereby obtain for all African Americans their full human rights. He was assassinated on April 4, 1968.

BEGINNINGS

King obtained his education at Morehouse College, Crozer Theological Seminary, and Boston University, where he earned a Ph.D. During these years he studied philosophy, and first encountered Gandhi's ideas of non-violent resistance. In 1955, after leaving school, he went on to serve as the minister of a small Baptist church in Montgomery, Alabama. King's studies and background had long inclined him to the belief that the church should use its moral weight to support social change.

Montgomery, like the rest of the South, was a two-toned world; whites ruled, blacks obeyed. Blacks had no political power and were forced to humble themselves before whites or risk humiliation, violence, or even murder. In this racist world, King wished to use his pulpit to preach against the injustice of white oppression and black suffering.

King had his first opportunity to fight for black civil rights with the famous Montgomery bus boycott. On December 1, 1955, Rosa Parks and three other African Americans were asked to leave a row of seats to make room for one white man because blacks and whites were not allowed to sit in the same row, according to Alabama law. The other blacks agreed, but Parks refused and was arrested. King and other black leaders, hearing of the arrest, decided to organize a boycott in protest. Blacks in Montgomery were encouraged to avoid using the city's bus system until the city agreed to end segregation on public transportation. In a strong show of unity, most black residents refused to ride Montgomery's buses. This cost the bus company and Montgomery's white businesses a great deal of money. Whites responded with violence. Black boycotters were beaten up and King's house was bombed, but the boycott succeeded. It attracted outside attention, with the result that a federal court ruled segregation on buses to be illegal. King and his supporters were victorious in their non-violent protest.

CIVIL RIGHTS MOVEMENT

The Montgomery bus boycott marked King's entry into the civil rights struggle. After the successful boycott, King and other southern black ministers came together and created the Southern Christian Leadership Conference (SCLC). The SCLC became the driving force for civil rights in the 1950s. King traveled around the country, lecturing to crowds of whites and blacks, trying to bring about a change in American attitudes. He became the best-known civil rights leader in the country.

In 1960 he supported black student sit-ins at lunch counters in Atlanta eating es-

Children marching and singing during a celebration of Martin Luther King s birthday in Harlem, New York City.

tablishments. Many restaurants in the South were segregated or excluded blacks. To confront these policies, students would sit down in these restaurants and politely ask to be served. Although using non-violent methods, King and the students' actions invited violent reprisals from whites eager to stop blacks from gaining civil rights. Screaming verbal abuse, whites surrounded the students, pushed them, and shoved food into their hair and clothes. Trained by King and his associates to maintain discipline, the students did not fight back. During these demonstrations, King and some students were arrested, but the Georgia state government was forced to free him, and King and his cause attracted national attention.

King used his non-violent techniques in other places, organizing marches, more sit-ins, and holding larger and larger rallies. During a 1963 protest campaign in Birmingham, Alabama, the police attacked the demonstrators with fire hoses, clubs, and dogs. King and hundreds of other demonstrators were arrested. During his imprisonment in the Birmingham jail, King was criticized by some white clergy—they called his actions "unwise and untimely"—who thought that King, an outsider, should not have involved himself in Birmingham's problems. King responded with one of the most famous defenses of human rights in American history, his "Letter from Birmingham Jail." In the letter, he argued: "I am cognizant of the interrelatedness of all

communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly affects all indirectly." King was arguing that the human rights of any person, no matter where he or she was, should be the concern of everyone else on the planet.

Later in 1963, King and others organized a civil rights march in Washington. A quarter of a million demonstrators gathered near the Lincoln Memorial to hear King speak. In this famous "I Have a Dream" speech, King told the audience: "I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood."

In 1964, King saw his efforts bear fruit. President Lyndon B. Johnson signed into law the Civil Rights Act of 1964, which outlawed most forms of discrimination. In that same year, King was awarded the Nobel Peace Price. In accepting the prize, King defended his non-violent techniques: "Nonviolence is the answer to the crucial political and moral questions of our time: the need for man to overcome oppression and violence without resorting to violence and oppression." King's defense of non-violence came at a time when many African Americans were becoming impatient with the slow progress of the civil rights movement. Some of them supported leaders like Malcolm X or the Black Panthers. Others turned to violence. From 1965 to 1968, cities across America faced riots led by poor blacks angry at continued white racism. As King continued to preach non-violence, he was criticized and ridiculed by a younger generation of black leaders.

In the midst of these troubled times, King's preaching was silenced. On April 4, 1968, King was assassinated by James Earl Ray, a white, small-time criminal. Ray spent the rest of life in prison and died in 1998.

Martin Luther King, Jr., remains a towering figure in the history of the American civil rights movement and a symbol for human rights advocates the world over. During the religious conflicts in Northern Ireland, Catholic marchers sang the hymn that King made famous in his marches, "We Shall Overcome." King—like the man he admired so much, Mohandas Gandhi—was less admired and supported at his death than he had been in earlier years, but history has since seen his reputation steadily burnished. He is honored both for his efforts in bringing about the end of legalized racial segregation and for his unwavering commitment to non-violence.

Carl Skutsch

See also: Mohandas Gandhi; Racism.

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Kurds

The Kurds are a people living in the Middle East who have their own language, culture, traditions, and history, but no nation of their own. The area known as *Kurdistan* (which means "land of the Kurds") is divided among four southwest Asian countries: Turkey, Iran, Iraq, and Syria. While none of these countries particularly likes the other, they are all of one mind in opposing the creation of an independent Kurdistan. Such a country would, after all, take away parts of each of their own lands. If they allowed the Kurds to gain their independence, the Turks would lose much of the eastern part of their country, the Iranians the northwest of theirs, the Iraqis the north, and the Syrians the northeast. Therefore, the approximately 20 million Kurds who live in Kurdistan have no nation to call their own. In their efforts to suppress Kurdish nationalism, the four governments of the region have committed numerous human rights violations. And in suppressing the Kurds' efforts to achieve independence, these nations have denied the Kurds their human right to self-determination.

HISTORY

The Kurds have lived in the same general region for more than 3,000 years. With the Arab conquests of the seventh century they converted to Islam but retained their distinctive culture and language. Kurdish principalities have had some importance from time to time, and one Kurdish prince, named Salidan, was prominent in the twelfth century for opposing the invading Christian crusaders, but he ruled as a Muslim general, not as a Kurd.

Turkish armored cars pursuing fleeing Kurdish demonstrators, March 1992.

At one point in history, it seemed possible that Kurdish nationalist aspirations might come to be realized. The Turks had just lost World War I, and had been forced to sign the Treaty of Sevres (1920), which guaranteed the Kurds their own country. The Allied powers, prompted by the idealistic impulses of President Woodrow Wilson of the United States, were supporting the nationalist goals of many ethnic minorities who had previously had no country of their own, such as Czechs, Finns, and Hungarians. These groups demanded their own nations, as did the Kurds. The Turks, however, were unwilling to give up their Kurdish territories; they negotiated a new treaty (the Treaty of Lausanne, 1923) and used military force to bring the Kurds back under their control. Ever since, many Kurds have tried to regain what was lost in 1923.

REPRESSION

The Kurdish right to a country of their own would seem to be a human right as defined by the United Nations Universal Declaration of Human Rights (1948). Article 15 states that "everyone has the right to a nationality," while Article 21 states that "the will of the people shall be the basis of the authority of government." If the will of the Kurdish people is that they should have their own nation, would that not be a human right? Perhaps, but not in the eyes of the governments that rule over the Kurds.

In Turkey, where Kurds are most numerous, government repression has been severe. In the 1980s and 1990s the PKK (Kurdistan Workers Party) waged a guerrilla war against the Turkish government, and the government responded with unbridled force. The Turkish military used torture, bombing, and sometimes murder. (There have been reports of Kurds being tossed from helicopters by Turkish officers.) Faced with continued Kurdish insurrection, the Turks responded by forcibly evacuating 3,000 Kurdish villages to take away the PKK's sources of support. This was a blatant violation of the human right to stay in one's chosen residence, and resulted in millions of Kurds being left destitute. Some 15,000 Kurdish civilians were killed. In the past, the Turks even denied the existence of the Kurds as a separate people, claiming that they were all actually "Mountain Turks." Kurds who speak out for independence, or merely write in Kurdish rather than Turkish, face police abuse and sometimes murder. The Turkish military's repeated violations of human rights during its campaign against the Kurds has been one of the main stumbling blocks in the way of Turkish admission into the European Union, which forbids the use of torture.

If Turkish repression of the Kurds has been severe, it pales beside that carried out by the Iraqi regime under Iraq's President Saddam Hussein. During the Iran-Iraq War (1980–1988), Kurds in northern Iraq attempted to gain their independence but were brutally suppressed by Hussein's army. The Iraqi soldiers used poison gas and conventional weapons to wipe out entire villages. This mass slaughter has been characterized as an attempt at genocide, and it is believed by some that as many as 180,000 men, women, and children were killed during the Anfal campaign of 1988. The use of poison gas during this campaign, which has been well documented, was a violation of the Geneva Conventions (1949).

The Kurds were subjected to Iraqi terrorism again in 1991. The Kurds had used the opportunity of the Persian Gulf War (1991) to rise up a second time against Hussein, and with the end of that war they

faced renewed military attacks and forced relocations. Hundreds of thousands of Kurds fled Hussein's strafing planes, and it was only the intervention of American warplanes that prevented a wholesale slaughter of the Iraqi Kurds. The Americans, as part of their efforts to put pressure on Hussein, declared a "no-fly zone" above 36° north latitude. This prevented Iraqi air attacks, and allowed the Kurds to return and attempt to rebuild their homes and lives. The result has been that since 1992, the Kurds in northern Iraq have had de facto autonomy. But if the Americans ever lift their protective air shield, it seems quite possible that Hussein will renew his attempts to destroy the Kurdish people.

The Kurds remain a disenfranchised people. Subject to persecution in Turkey, Iraq, and—to a lesser extent—Syria and Iran, they have yet to achieve their full human rights. It is not clear that if allowed to, they would all vote for an independent Kurdistan (some Turkish Kurds, for example, have become prosperous in business, and might not be eager to leave the benefits of Turkish government), but it is clear that they are not likely to be given this chance in the near future. The right of self-determination makes it clear that this denial is a denial of their human rights.

Carl Skutsch

See also: Genocide; Universal Declaration of Human Rights; War; War Crimes.

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Labor

The right to work is a basic human right and is protected in Article 23 of the United Nations Universal Declaration of Human Rights. This is a right which has rarely been properly defended in human history and whose importance is often ignored. It is enlightening to note that countries which respect labor rights almost always respect human rights, while those which persecute or abuse labor movements are also generally oppressive. A strong and well-protected labor movement is often a key factor in advancing human rights around the globe.

HISTORY

Karl Marx (1818–1883), the radical socialist intellectual and leader, believed that the central thread to history was the development and organization of labor. According to Marx, history can be explained largely by successive changes in the means of economic production and the way in which labor is organized. He believed that changes in the ownership of the means of production, manner of work, employment practices, and worker organizations determine all patterns of historical change.

The Industrial Revolution radically changed the scope of labor as well as the social and economic structures of society. From the mid-eighteenth century to the mid-nineteenth century, technological advances and the need to contract workers led to the development of the factory. The factory system employed large numbers of workers and used harnessed power and complex machinery. Large-scale production was characterized by a greater division of labor and specialized tasks, making products cheaper and more readily available. The workers came not only from workshops, but were recruited en masse from rural areas. The factory system gave birth to a new class of factory workers.

In the factory, mechanization automated the skills of workers. The factory also fostered a hierarchy of administrators and specialized professionals such as managers, engineers, specialized supervisors, bookkeepers, and others to help implement strict factory rules. The factory system reduced theft, established strict discipline and surveillance of workers, and made the capitalist owner indispensable for production. It also had the effect of turning the worker into a cog, much like those in the machinery that they worked on. The psychological effect of this can be significant. Workers who work in a factory often feel disconnected from their work, feeling that they are no more important than any machine on the factory floor. As a result, they often lose pride in their work. Marx called this the "alienation of the working class," and even non-Marxists recognize its debilitating effects.

ORGANIZED LABOR

In industrialized economies, conflicts arose between capitalists and laborers over the distribution of profits from production. The factory gave rich owners a powerful tool to control and exploit workers. A former age in which craft workers owned their own tools

was replaced by a time in which workers were hired and fired at the whim of factory owners.

To combat poor wages and dangerous working conditions, the workers organized associations of workers in the form of trade unions to represent the interests of labor. The primary goal of a trade union is economic—for the workers to better their circumstances either immediately or in the near future—but it is also political since the members form a community that has a collective power. It can also be the focus of social and educational activity for its members. *Collective bargaining* is the term used to describe negotiations between labor and management. The goal is usually to obtain a labor contract that ensures certain benefits for the workers. The strike, a temporary work stoppage, is the most powerful mechanism workers use to put pressure on factory owners.

Early trade unions were very political in outlook. In 1864, Karl Marx founded the International Workingmen's Association, which promoted coalitions between trade unions and political movements. The Association was founded on socialist principles and held capitalism responsible for the social ills that industrialization created. In the late nineteenth century, labor parties were formed in Britain, Australia, New Zealand, and elsewhere. In several industrialized countries, organized labor in the form of national trade unions came to exert considerable power in government. In Western Europe, socialist labor parties gained strength in France, Germany, and Italy.

After World War II, labor and social movements, post-war economic depression, and, in Western Europe, a fear of workers' revolution, resulted in the establishment of the welfare state, which created social policies such as social security, unemployment insurance, pubic medical benefits, and income redistribution plans.

In Eastern Europe, union movements demonstrated the power of labor rights activists to be forces for improving human rights for everyone. Labor movements, starting with Poland's Solidarity union, were one of the factors that helped to bring the oppressive communist-bloc governments tumbling into oblivion in the late twentieth century. The importance of unions in obtaining freedom for Eastern Europe is demonstrated by the 1990 election of Lech Walesa as president of Poland in the country's first free elections after the fall of communism. Walesa first had been the leader of Solidarity.

THE UNITED STATES

In the United States, socialist labor coalitions did not mobilize mass numbers of workers politically as they did in Europe. Some militant groups, such as the Industrial Workers of the World in the early 1900s, gained influence for brief periods but seldom endured. Most American unions gravitated toward the conservative, craft-oriented American Federation of Labor (AFL), which was organized in 1886. In the 1930s, more radical labor leaders founded the Congress of Industrial Organizations (CIO), which organized millions of industrial workers. In 1955, the two unions merged to form the AFL-CIO, which remains today the largest umbrella union organization in the United States.

The leadership of the AFL-CIO focused on gaining better wages and working conditions for their members. As a result, union workers in core manufacturing sectors enjoyed high wages and benefits packages. These unions, however, were not as politically active or radical as their coun-

terparts overseas. Often they cooperated with government attempts to root out alleged leftists in the labor movement. These government investigations were associated with the anti-communist witch-hunts of the 1940s and 1950s.

The power of labor unions lessened after the 1970s. Many new industries, such as computer manufacturing, resisted unionizing, while unions saw their jobs being transferred to cheaper workers in Third World countries. Currently only about 15 percent of the American workforce is unionized.

THE THIRD WORLD AND HUMAN RIGHTS THREATS

For the most part, the labor movement in the industrialized West was, and is, able to protect the rights of its workers. But safe conditions and relatively high wages are expensive for corporations. For this reason, many corporations have transferred their factories to Third World countries where human rights standards are lower, and, therefore, labor costs are cheaper.

This exploitation of Third World labor remains a critical issue for human rights advocates. Factories around the world often exploit workers, forcing them to work long hours for low wages. When workers try and form unions to fight for their rights, corporations are often able to get government support in breaking up these nascent labor movements. When police in Third World countries break up union strikes, it is an attack not only on labor rights, but on human rights as well.

In countries like the United States, factory workers resent the loss of jobs to low-

Sandinista strikers face police in Nicaragua, July 1990.

paid workers in countries overseas or across the border in Mexico. Many factory workers who have lost their reasonably well-paid union jobs are forced to find work in the growing, but lower-paying, service sector.

In this globalized economy, multinationals scour the globe for cheaper and cheaper labor, pitting countries and workers against each other to see who will offer the lowest wages and greatest tax breaks. Practices such as union busting, forced overtime, and penalties for slow production are instituted as laborers find themselves barely able to meet basic subsistence needs.

Present-day labor trends are largely the result of the growth of multinational corporations, globalization of the economy, and an increase in free-trade agreements. Since the 1970s, unions in the core industrialized countries have lost much of their gains as jobs have departed for the developing world. Labor in the developing world now faces similar challenges as did labor in industrialized nations in the nineteenth and twentieth centuries. Several factors suggest that twenty-first-century labor struggles in the developing world will be fought through global efforts, or at least with global solidarity. Transnational alliances between trade unions, non-governmental organizations, religious groups, and individual activists will advance the goals of the worker in the global economy. An increasing awareness of labor abuses, moral repugnance on the part of consumers, and media attention to labor conditions and organizing efforts will all lend not only attention to workers' efforts, but will also put pressure on multinational corporations responsible for poor labor conditions.

The issue of labor rights is sure to be one of the critical human rights issues of the twenty-first century.

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See also: Child Labor; Debt Bondage; Globalization and Multinational Corporations; Slavery; Trade Unions.

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Land Mines

Some argue that all weapons of war are inhumane, and that all are equally bad; however, most societies have consistently regarded some weapons as worse than others. Increasingly, many people are putting land mines into the category of weapons that should never be used. This is because once they are placed, they never go away; thus they attack soldier and civilian alike. For this reason, they are seen as an attack upon the human rights of innocents—including children—who should not be victims of war.

Land mines are small metal or plastic devices hidden in the ground, which explode when people or vehicles go over them or come in close proximity to them (land mines can also be detonated by remote control, but those are more expensive and less common). Primitive land mines have existed since the invention of gunpowder, but the modern land mine dates from World War II. During that war, all sides used land mines in large numbers to protect defensive positions. Land mines are relatively cheap, easy to deploy, and very effective in large numbers. After the war ended, land mines became standard equipment for most of the world's armies. Today's land mines are much more sophisticated than their predecessors. Many are designed to jump two feet in the air before exploding, thereby causing maximum damage to the abdomens of the triggering victim. Others are made mostly of plastic, thereby making detection almost impossible.

The problems with land mines are their ubiquity and their longevity. During a war, soldiers lay out minefields (areas filled with mines) wherever they station their troops. By the end of a war, minefields usually will have been deployed throughout the entire combat area, and they do not go away. For years after a war has ended, the land mines remain in position, and innocent civilians run the risk of being killed by random explosions. This is what makes the use of land mines a human rights violation. As weapons of war they might be justified in their own right—wars have their own logic—but land mines kill long after the war is over. They are not aimed, like regular guns; they kill without conscience, without justification. Weapons of war target soldiers; land mines target everyone.

Land mines are particularly dangerous for children. Signs that warn off adults are ignored by children who either cannot read or who disregard the message. And when mines explode, children are more likely to be killed than adults.

In wars since 1945, land mines have been used in huge numbers and have left behind a terrible legacy of death and destruction. The United Nations estimates that Cambodia still has six million mines hidden in its fields and trails, that Angola has nine million, and that Afghanistan has ten million. Each year these land mines, left over from wars gone by, kill and maim more innocents. In Angola, it is estimated that 5,000 artificial limbs are needed each year. In Cambodia, there are an estimated 35,000 amputees who lost limbs because of land mines. Land mines are a serious problem in many other places including Bosnia, Chechnya, Iraq, and Somalia. The economics of land-mine use make them very hard to eliminate; land mines can cost

An Afghan child in the hospital. He was injured by a land mine while playing.

as little as $5 to deploy, but as much as $1,000 each to remove. (Most of the cost of removing land mines comes from the difficulty in finding them once they have been buried and hidden.) The cost factor is an obvious deterrent to removal.

The human effects of land mines are horrific. The web site landminesurvivors.org publicizes the stories of some of those who have survived land mine explosions. According to this organization, one of these survivors is "Marianne Holtz, an American nurse who has worked in Somalia, Southern Sudan, Rwanda, and Zaire. In 1995, Ms. Holtz worked in Goma, Zaire, as a Nurse Coordinator for the American Refugee Committee. She was driving in the countryside outside of Goma when her vehicle struck a land mine. She was severely injured by the explosion and rushed to a local hospital where doctors had to wire shut her fractured jaw, set her broken back and amputate both of her legs below the knees. After further medical treatment, surgeries and rehabilitation, Ms. Holtz can now walk for short distances with her two prosthetic legs and a cane. She currently writes and speaks on the problem of land mines."

In 1992, several human rights groups banded together to form the International Campaign to Ban Landmines (ICBL; http://www.icbl.org/). The organizers of the ICBL saw land mines as a critical threat to human rights. In countries where land mines exist, the right to life, perhaps the most important human right, is under constant threat. The ICBL worked to publicize the dangers of land mines, particularly of the smaller, cheaper, and more prevalent antipersonnel mines, and to convince governments that they could and should do without them.

Under the leadership of the ICBL's chief coordinator, Jody Williams, the campaign

against land mines attracted supporters from all over the world. Eventually more than a thousand organizations signed onto the campaign. Prominent celebrities, including Princess Diana of Great Britain, helped to draw attention to the issues involved. Their efforts paid off when, in 1997, more than one hundred nations met in Ottawa, Canada, to sign a ban on land mines. The Ottawa Convention—officially called the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction—committed its signatories to destroy all the land mines in their armies' arsenals. The ICBL and Jody Williams were jointly awarded the 1997 Nobel Peace Prize for their efforts in fighting the use of land mines.

However, some of the world's biggest military powers, including Russia, China, and the United States, refused to sign the treaty, claiming that land mines are a necessary part of their defensive weaponry. The United States government, for example, claims that it needs land mines to defend the border of its ally South Korea from a possible North Korean invasion. There is some military validity to this claim, and certainly the United States is more careful in the deployment of its land mines than some other nations, but as long as these larger nations continue to build and deploy land mines, there is little pressure on other, smaller countries to cease using them.

Carl Skutsch

See also: Nobel Peace Prize; War.

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Law and Justice

The law is intimately intertwined with human rights issues. The laws that a society enforces suggest which rights it considers important. But laws alone are not enough to protect people's human rights. There must also be a court system in place that effectively enforces those laws. In most countries, the law is enforced by the judiciary, which consists of the judges who sit in trial over the accused and pass judgment on the convicted.

There are two kinds of laws that protect human rights. The first are laws the prevent individuals from doing harm to one another. The second kind of law protects citizens from abusive behavior by the government. Both of these are important for the protection of human rights, but often the second kind is the more important.

Compared to their citizens, governments have vast powers. They control police, prosecutors, and the military. Governments are usually run by powerful figures who gained power in part because of their connections to wealth and influence. The law is often the only thing that stands between an individual and his or her government. For this reason, in countries where human rights are respected, the law gives the individual many protections against potential government excess.

In the United States, for example, the first ten amendments to the Constitution are known collectively as the Bill of Rights because they were designed to protect individuals against possible abuse by the government. The First Amendment protects rights such as free speech and freedom of assembly. The Fourth Amendment prevents police from searching a house without first obtaining a warrant from a judge. The Sixth Amendment guarantees a defendant a speedy trial.

Another important legal protection is the right of habeas corpus. This protection gives the judge the power to question whether a crime was actually committed and whether people in state custody are wrongfully imprisoned. If a judge doubts the state's honesty regarding a prisoner's disposition, the rule of habeas corpus allows the judge to demand that the prisoner be brought before him.

When such laws exist, human rights are only partially protected. But the laws must not only exist on paper; they must be enforced by a competent and effective judiciary.

To begin with, the judiciary must be independent. A judiciary that is easily influenced by politicians is more likely to defend the interests of the rich and powerful than the rights of the average citizen. An independent judiciary is required to stand up to the threats of powerful politicians or to ignore the demands of public popular pressure.

The judiciary must not only be independent from the political authorities, but must also maintain a healthy distance from prosecutors and police. A judge is supposed to be an impartial guardian of justice. When judges begin to see their role as one of facilitating the smooth functioning of criminal prosecutions, the judge ceases to be impartial. And the prisoner, in effect, loses his right to being presumed innocent. Furthermore, judges who are too closely tied

Trial of Marcus Vinicius Emmanuel. The Brazilian police officer confessed to being involved in the murder of eight Rio de Janeiro street children, April 1996.

to police and prosecutors are unlikely to be effective at punishing those police who commit crimes against society and against human rights.

The United Nations General Assembly endorsed the necessity of an independent judiciary with its 1985 passage of the Basic Principles on the Independence of the Judiciary. In its first four articles, this document makes clear the emphasis that the United Nations places on an independent judiciary:

1. The independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all governmental and other institutions to respect and observe the independence of the judiciary.
2. The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.
3. The judiciary shall have jurisdiction over all issues of a judicial nature and shall have exclusive authority to decide whether an issue submitted for its decision is within its competence as defined by law.
4. There shall not be any inappropriate or unwarranted interference with the judicial process, nor shall judicial decisions by the courts be subject to revision. This principle is without prej-

Mob justice in Sierra Leone. This man was suspected of looting, March 1998.

udice to judicial review or to mitigation or commutation by competent authorities of sentences imposed by the judiciary, in accordance with the law.

The judicial system should also be both efficient and relatively free of corruption. If the people feel they cannot rely on the courts to give them justice, they are likely to become disgusted with normal judicial procedures and try to take the law into their own hands. Corruption also allows the rich to subvert the normal workings of justice. In some countries, it is possible for business interests to buy a judge for a relatively small sum of money. Compared to those in Western countries, judges in Asia, Africa, and South America are not well paid and so are often tempted to supplement their salaries by selling their integrity and independence.

Another requirement for justice to be served is legal aid for the poor. A legal system that truly protects human rights should provide free and competent legal aid to those who cannot afford their own lawyer. Without access to affordable legal services, the poor are likely to suffer abuses in the court system. When only the rich can afford lawyers, only the rich will have human rights.

Protestors denounce cuts to legal aid programs for the poor in Philadelphia, July 1995.

A diligent and vigilant judiciary is imperative to ensure that the state's obligations to promote and protect human rights are fulfilled. Beyond protecting local laws that guarantee human rights, the judiciary is also responsible for seeing that the country's executive respects international treaties that make human rights commitments.

In conclusion, for justice to be served, the law must protect human rights, the judiciary must be independent, and the state must provide sufficient legal assistance to all whom it prosecutes.

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See also: Habeas Corpus; International Law; Police and Law Enforcement; Victims' Rights.

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Nelson Mandela

Nelson Rolihlahla Mandela was born July 18, 1918, at the Cape of Good Hope, in South Africa. He became a militant activist who fought for black rights against the white-controlled South African government. He spent twenty-eight years in prison, but eventually was freed and became the country's first black president, an office he retained until 1999.

FIGHT AGAINST APARTHEID

For most of Mandela's life, South Africa had been ruled under a system called *apartheid*. Apartheid—which means "apartness" in Afrikaans, the language of most white South Africans—required that whites, blacks, and other racial groups be separated as much as possible. In practice, apartheid meant that blacks, who made up the vast majority of the population, would be forced to be subservient, and whites, who made up less than 20 percent of the population, would have the best land, jobs, and lives.

Mandela came from a prominent Xhosa family (the Xhosa comprise one of South Africa's largest black ethnic groups) and was able to go to college and law school—a privilege most black South Africans could only dream of. Mandela, however, did not allow his privileged position to blind him to the injustice that characterized his country. He was determined to fight against it.

In 1943, Mandela joined the African National Congress (ANC), a black civil rights group dedicated to ending racial discrimination in South Africa. Although he supported ANC goals, its approach was too moderate for Mandela and other young activists. In 1944, they formed the ANC Youth League, which had a more confrontational approach than the parent body. By 1947 Mandela and his allies were pushing the ANC to follow their more aggressive style. In 1960, responding to ANC-inspired anti-apartheid protests, South African police fired on hundreds of unarmed demonstrators at the township of Sharpeville. The resulting uproar of protest led the white-controlled government to ban the ANC. Mandela was transformed into a rebel. In 1962 he was charged with treason. At his trial he made a moving four-hour speech

Nelson Mandela on a visit to the United States shortly after his release from prison.

criticizing apartheid; the white court ignored his speech and ordered him imprisoned. He stayed in prison for the next twenty-eight years.

Mandela spent most of his prison time in Robben Island Prison, a dreary prison located off the coast of South Africa. In his memoirs, Mandela said: "Robben Island was without question the harshest, most iron-fisted outpost in the South African penal system. It was a hardship station not only for the prisoners but for the prison staff. Gone were the Coloured warders who had supplied cigarettes and sympathy. The warders were white and overwhelmingly Afrikaans-speaking, and they demanded a master-servant relationship. They ordered us to call them 'baas,' which we refused. The racial divide on Robben Island was absolute: there were no black warders, and no white prisoners. . . . Robben Island was like going to another country. Its isolation made it not simply another prison, but a world of its own, far removed from the one we had come from."

During his twenty-eight years of captivity, Mandela became one of the most famous prisoners in the world. The South African government tried to portray him as a communist revolutionary and troublemaker, but most of the world grew to see him as a dedicated man fighting for justice and imprisoned for political reasons. "Free Nelson Mandela" signs, posters, and bumper stickers became commonplace in many parts of the industrialized world. The prominence of Mandela as a prisoner helped to make many people aware of the evils of apartheid and prompted them to support economic sanctions against South Africa. After 1985, the white regime, recognizing Mandela's growing influence, tried to defuse his importance by repeatedly offering him a freedom in return for a promise to cease his political activities. Mandela, not wishing to compromise his principles, refused these offers.

Facing growing opposition from both inside and outside the country, the South African government finally recognized that apartheid had to end, and that apartheid's most famous prisoner had to be released. President F. W. de Klerk released Mandela from prison on February 11, 1990. Mandela was chosen to be the leader of the ANC, and during the next few years he worked closely with de Klerk, his former enemy, to bring about a peaceful end to apartheid. The transition from apartheid to true democracy was marred by violence, much of it white on black, but Mandela consistently and continuously worked to calm tensions and avoid violent confrontations. In 1993, Mandela and de Klerk were jointly awarded the Nobel Peace Price. In 1994, Nelson Mandela was elected the first black president of South Africa.

As president, Mandela worked to heal the wounds caused by apartheid. Rather than seeking revenge, he organized the Truth and Reconciliation Commission, whose job it was to investigate the crimes that occurred under apartheid, but not to punish them. Mandela recognized that seeking justice for past crimes might have led to continued violence in South Africa; it also might have alienated many white South Africans, whose education and technical skills were required if the country were to prosper economically. In 1999 he ended his term as president and retired from political life.

Mandela's determination, even after years of imprisonment, and his magnanimity upon his release, marks him as unique among those who have fought for human rights. Many observers expected South

Africa to explode into violence as apartheid ended; it is probably Mandela's efforts, motivated by his respect for human life, that kept this from happening. For most of his life he was one of the oppressed; when he gained power, he refused to become an oppressor. He believed in human rights, not only for his people, but for all people.

Carl Skutsch

See also: Nobel Peace Prize; Political Prisoners; Racism.

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Marriage and Family

According to Article 16 of the United Nations Universal Declaration of Human Rights (1948): "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State." As part of this basic human right, according to Article 16: "Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution." In other words, having a family and entering into marriage are basic human rights.

A central article of the United Nations Universal Declaration of Human Rights states: "Marriage shall be entered into only with the free and full consent of the intending spouses." Marriage should be between two people who both want to be married to each other. This basic human right is often not protected. In many societies—India, Bangladesh—marriages are arranged by a bride and groom's families.

Women marching for more rights in marriage at the Fourth International Conference on Women, Beijing, China, 1995.

This is no violation of their human rights as long as they both freely consent to the marriage, but sometimes one party—almost always the woman—does not wish to be married and is forced to do so by family and societal pressures. While these sorts of forced marriages usually occur outside the industrialized West, they can occur anywhere. In the United States, for example, certain splinter sects of the Mormon church have been accused of forcing young girls into unwanted marriages.

Within marriages there can also be human rights violations. Women are almost always the victims of these human rights violations. In Pakistan, bride burnings have become a serious problem. Husbands, often helped by their families, will set fatal fires in order to rid themselves of an inconvenient or troublesome bride (usually after having received her dowry). Most violence within marriage is not this bad, but violence against wives remains commonplace worldwide. These attacks on women's human rights within marriage are fostered by the widely shared belief that wives should be subservient to their husbands. This belief denies women their basic human right to equality.

Not all people share in the universal human right to marriage and family. Gays and lesbians who wish to marry and form families are faced with many barriers. There are few countries that allow homosexuals to marry each other, and none use the word "marriage." Since 1989, gays in Denmark have been able to join in civil partnerships, with most of the rights and responsibilities of marriages. In France, gays and lesbians (and unmarried heterosexuals) can join in a *pacte civile de solidarité*, which grants rights similar to those of marriage. Other European countries have followed suit. In the United States, a strong religious tradition has made many hostile to the idea of gay marriage—in 1996, the federal government passed the Defense of Marriage Act, which said that only marriages between men and women would be recognized as legitimate. Going against this anti-gay marriage trend, the state of Vermont passed a law in 2000 that allowed gay couples to join in civil unions, which are marriages in everything but name. The law that legalized these unions (and that only confers state benefits, not federal benefits) declares: "The state has a strong interest in promoting stable and lasting families, including families based upon a same-sex couple." While this is a step forward for gay families, it is short of the full human right to marriage.

Divorce is another human right that is not easily accessible to all. In many cultures there is a strong bias against divorce, and strong social pressure by society to prevent people, particularly women, from trying to end their marriages. This social pressure is often supported by legal restrictions that make it difficult to obtain a divorce. In Morocco, for example, restrictive laws (and hostile judges) make it almost impossible for women to obtain divorces, even in cases where they have been physically abused by their husbands. As it is often the woman who suffers the most in unhappy marriages (women are almost always the victims, not the perpetrators of domestic violence), these restrictions on divorce are particularly restrictive of women's human rights. In many Muslim countries, "honor killings" are a common way of punishing women who seek divorce. These women are hunted down by their husbands or former husbands and assassinated. These killings are often supported by the women's own families and are tolerated by their governments.

In theory, marriage is a universally supported human right. In practice many marriages are less than ideal. Not all women have all the privileges of marriage as outlined by the United Nations.

Carl Skutsch

See also: Domestic Violence; Sexual Orientation and Homosexuality; Women's Rights.

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Mental Health and Psychiatry

Issues of human rights have always been intertwined with the history of psychiatry. In the history of many societies, the mentally ill were abused and treated without any respect for their rights or dignity. In some societies, such as medieval Europe, the mentally ill were thought to be possessed by demonic spirits. There were few attempts to cure them or ameliorate their suffering. In the early modern era, some countries funded "madhouses" for the mentally ill, but these were chambers of horrors, with screaming inmates chained to their beds, abused by ignorant and rapacious wardens. In the early nineteenth century, a new wave of doctors and reformers entered the profession and began to argue that the insane, as they were then called, needed to be treated with more humanity. By the twentieth century, treatment of the mentally ill had improved, but there remained, and remains, widespread human rights issues and abuses connected to mental health and psychiatry.

The right of the mentally ill to proper care is an internationally recognized human right. The United Nations International Covenant on Economic, Social and Cultural Rights (1966) states that everyone has the right to "the highest attainable standard of physical and mental health." The United Nations expanded on this statement with an additional document addressed directly to the plight of the

Patients in the psychiatric ward of Bugando Hospital, Tanzania.

mentally ill, the Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care (1991). The first two articles of this document state that "all persons have the right to the best available mental health care, which shall be part of the health and social care system," and "all persons with a mental illness, or who are being treated as such persons, shall be treated with humanity and respect for the inherent dignity of the human person."

INSTITUTIONS AND METHODS

Treatment for the mentally ill has progressed since the days when they were locked away in madhouses and insane asylums, but abuses still remain. The mentally ill are particularly vulnerable to mistreatment because they are often looked down upon by the rest of society, whose members prefer to forget that they exist. Often unable to voice their concerns and complaints, they are defenseless against the abuses of unscrupulous or uncaring nurses and doctors. But in spite of many abuses, modern mental health facilities, particularly in the industrialized countries, are far better than they once were. Part of the reason for this improvement is the increase in empathy for the plight of the mentally ill, the result of a corresponding increase in respect for the human rights of all people. However, perhaps the most significant change since the eighteenth century is the arrival of a new idea: that mental illness can be treated and either cured or lessened in severity.

In the late 1890s, doctors like Sigmund Freud greatly expanded the field of psychiatry and with it tried to cure those troubled by mental illness. Their successes were real, but limited. Some people could be cured, or helped, by Freud's talking cure; others, particularly the severely troubled, showed little or no improvement. With the discovery of psychotropic drugs in the 1950s, the treatment of the mentally ill took a giant leap forward, as doctors found that certain chemicals could dramatically improve the behavior and mental state of their patients. Previous abusive treatments, such as electroshock (where a patient was subjected to a series of electric shocks, sometimes damaging their personality or memory) and lobotomies (an operation in which the nerve fibers of the frontal lobes of the brain are severed, often leaving the patient passive and dull, an empty shell of a human being), were abandoned in favor of the new drugs. Although drugs have greatly improved the lives of many mentally ill people—allowing some of them to re-enter the world as happy and productive members of society—they have also sometimes been used in abusive ways. Some institutions have used the drugs to sedate their patients in order to make them easier to handle, rather than out of concern for their well-being.

Places of treatment have also changed since the dark days of the eighteenth century. Insane asylums, themselves an improvement on the old madhouses, were replaced with modern mental hospitals, staffed by trained doctors and nurses. Increased budgets allowed these hospitals to provide various forms of therapy, including painting, theatrics, and other group activities. Nevertheless, abuses continue in hospitals around the world.

In the 1950s, governments in the United States and Great Britain began to release mental patients into the outside world in an effort to deinstitutionalize or mainstream them. The rate of mainstreaming was increased after the early 1970s, when mental hospitals, ignored by much of the

Women working in a Bulgarian mental hospital's workshop.

country, had reached a low point in their quality of care. This nadir was revealed in 1972, when a young reporter, Geraldo Rivera, smuggled a television camera into Willowbrook, a Staten Island institution for the mentally retarded, and revealed wards crowded with disabled children and feces-smeared walls. Since then there has been substantial, but uneven, improvement in the quality of care.

The main result of reports like Rivera's, however, was to accelerate the process of mainstreaming, because mental health advocates believed that the mentally ill might be best served by being released from mental hospitals and state institutions. The goal of mainstreaming may have been laudable, but the funds to support the patients in outpatient programs were not sufficient, and many mental patients ended up swelling the ranks of the urban homeless. This decision to leave hundreds of thousands of mental patients without sufficient care was and is a clear human rights violation, as defined by the UN resolutions on mental health.

For all its faults, mental health care in wealthy countries like the United States is reasonably good—certainly better than it was fifty years ago. In Third World countries, however, the situation of the mentally ill remains abysmal. Because these countries have too little money to help even the sane and healthy, the mentally ill are often ignored, aided only by the small amounts of money that trickle in from international charities. Abuses reminiscent of the old European madhouses continue in Africa and South America.

In Hidalgo, Mexico, a 1999 investigation by human rights advocates revealed a state mental hospital that epitomized the neglect with which mental patients are treated in much of the world. Inmates in the Hidalgo institution were locked in giant wards, with hundreds of men or women sharing a single dormitory-style room and only a few undertrained hospital personnel to supervise them. The hospital floors were covered with feces and urine, most patients went around shoeless and partially clothed, and some were entirely naked. Many of the patients were not even mentally ill, but rather mentally retarded, yet there were no provisions or plans for releasing them into the kinds of group homes for the mentally retarded that are common in the United States. And as bad as Mexico's mental health institutions can be, all around the globe there are many institutions that are worse.

One place, worldwide, where the mentally ill continue to face systematic abuse is in prison. Mentally ill prisoners can be the most troublesome, and for that reason prison authorities often treat them with excessive harshness. In many of the new super-maximum security ("super-max") prisons in the United States, mentally ill patients are locked in small, isolated cells for twenty-three hours a day. They may be kept in these cells for years, at great cost to their already unbalanced mental state. Human Rights Watch has called this treatment tantamount to torture, a clear violation of the United Nations Universal Declaration of Human Rights, which bans torture and other degrading punishments. Dr. Carl Fulwiler, a psychiatrist who investigated Indiana's placement of mentally ill prisoners in super-max facilities, said: "To force prisoners with serious psychiatric disorders to live in extreme social isolation and unremitting idleness in a claustrophobic environment is barbaric."

FORCED COMMITMENT

A human right violation connected to psychiatry is forced commitment. Governments, sometimes with the help of relatives, have the power to force people into mental institutions against their will. The United Nations Principles on Mental Illness state that "no treatment shall be given to a patient without his or her informed consent," but also allows such consent to be ignored if a person is judged incompetent to manage his or her own affairs. In some cases, this may be necessary—a mentally disturbed person may be a danger to himself and the community—but often forced commitments occur without sufficient evidence of any necessity. People forced into mental institutions may endure regimens of drugs and electroshock that can cause permanent psychological harm.

In some countries, these forced commitments have been a part of government policies of repression. In the Soviet Union, for example, the state forced political dissidents into psychiatric hospitals as punishment for their rebellious behavior. One self-serving rationale given by communist officials was that to be against the government was inherently to be mentally unbalanced, and therefore deserving of commitment in an institution. This use of psychiatry perverted the original intention of psychiatric hospitals and turned them into one more element of the human rights oppression that was built into the Soviet system.

Similar practices were carried out in other communist countries, making these human rights crimes endemic in the entire commu-

nist bloc. Ironically, some of those whose human rights were violated by forced commitment were being punished for their efforts to fight for human rights in their countries. In Yugoslavia, an army colonel named Radomir Veljkovic was accused of being insane because, according to the presiding court: "The accused says that laws are being broken on a large scale, that nepotism and bribe-taking have prevailed, that human rights are violated on a massive scale." Although these accusations were absolutely true, Veljkovic spent from 1971 to 1988 in a psychiatric hospital because the government claimed his accusations were the result of mental instability. Cases like that of Veljkovic were commonplace in all the communist states of Eastern Europe and Asia. With the collapse of the Soviet Union, systematic abuse of psychiatry has diminished, but human rights watchdog groups still accuse Russia and other nations of occasionally returning to their bad habit of forcing troublemakers into mental institutions.

DISCRIMINATION

There also remains a stigma attached to mental illness of all kinds. Many people with mental illnesses would be able to function in society if they received moderate support (often with the help of psychotropic drugs), but are unwilling to seek that help because of the shame they feel in confessing to mental illness. Illnesses such as depression and anxiety are treatable with therapy or drugs but, left untreated, can become worse, even leading a sufferer to commit suicide out of desperation.

The stigma attached to mental illnesses also leads to discrimination. Although the United Nations principles for the protection of persons with mental illness states that "there shall be no discrimination on the grounds of mental illness," such discrimination is common. Prejudice against those with mental illness—even curable illnesses like depression—remains strong.

CONCLUSION

The human rights situation of the mentally ill is far better than it has been in the past. In the Western world, trained psychiatrists, new drugs, and reasonably well-equipped mental hospitals provide sufferers with some chance of recovery. The problems that remain are mostly those of funding. There are still those in rich countries, however, who are unable to get the care they need; in poorer countries, the situation is much worse. The mentally ill still lack the human rights that United Nations resolutions have promised them.

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See also: Health Rights; Prisons.

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Migrant Workers

Migrant workers are laborers who move from place to place looking for work. Sometimes they move on a regular schedule, doing seasonal work. Migrant workers may also be long-term migrants to a particular country. These migrants hope to go home someday and see their work as a temporary way of supporting families in their home country. Migrant workers, thus, are often not residents of the country in which they work. For this reason, and many others, migrant workers are more subject to human rights abuses than many other kinds of workers.

According to the United Nations Universal Declaration of Human Rights (1948): "Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment"; "Everyone has the right to a standard of living adequate for the health and well-being of himself and his family"; and "Everyone has the right to form and to join trade unions for the protection of his interests." These basic human rights apply to all people, not just migrant workers, but migrant workers, because of the peripatetic nature of their lives, are especially vulnerable to attacks on these rights.

Without settled roots in a community, migrant workers usually find it more difficult to achieve the respect and rights that are granted to permanent residents. Migrants are often seen as outsiders or troublemakers who are taking jobs away from locals—even though migrants tend to do the jobs that no one else wants.

Migrant workers are not a tiny part of the world's economy. In the United States, 3 to 5 million farmer workers are migrants. Half of them were born in the United States; most of the rest are legal residents. American migrants pick cotton in Alabama, cherries in Montana, and oranges in California. Worldwide, the number of migrant workers may be as high as 100 million.

Migrant farm workers in Honduras.

Abuse of migrant workers' human rights can be found around the world. In the 1960s in the United States, migrant workers on California's farms suffered under

appalling working conditions. Their pay was low, their toilet facilities were ditches by the side of the road, their housing was unheated and overpriced, and child labor was commonplace. As a result of these terrible conditions, the average life expectancy of a migrant worker was forty-nine years. In 1962, with the creation of a National Farm Workers Association, led by Cesar Chavez, the condition of migrant workers slowly began to improve, although it still remains far behind that of settled workers.

Many nations export migrant workers, and the paychecks that they send home are vital to these countries' economies. Migrant workers from the Philippines, for example, go all over the world looking for work, and many of them end up working in near-slavery conditions. Filipino women hired as housekeepers and maids sometimes work sixty- to eighty-hour weeks, have their passports confiscated by their employers (making it difficult to leave their jobs), and are subjected to verbal and physical abuse. Trapped in a foreign country and unable to speak the language, migrant workers are easy targets for employers who wish to deny them their human rights.

In December 1990, to defend the specific rights of migrant workers, the UN General Assembly passed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. This Convention reaffirms that migrant workers share all the rights of nonmigrants, but goes farther in guaranteeing migrants the right to move freely between national borders in search of work. It also guarantees all migrant workers equal legal rights with nationals of the country in which they work; migrant workers cannot be singled out for special restrictions or penalties. Although the Convention has been adopted by the General Assembly, it has not been ratified by enough nations to be legally in effect as an element of international law; still, those countries that have signed it have committed, at least morally, to living up to its principles.

Carl Skutsch

See also: Labor.

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Minority Rights

Throughout history the rights of minorities have been threatened by the power of the majority. This remains true today. All around the world, minorities struggle against attacks on their human rights. Some of these attacks are backed by government power, and others are merely the result of societal prejudice, but all must be dealt with if minorities are to share equally in the human rights accorded to all peoples.

To defend minority rights it is necessary to define *minority*, but the term has escaped a comprehensive and universally accepted definition. Does *minority* refer to speakers of a particular language, believers in a different religion, people who belong to an outnumbered ethnic group, or those whose sexual orientation is different from that of the majority? There are thus many definitions of *minority*. But although the question of defining a minority is difficult, it should not distract from the central issue of minority rights. For the purpose of discussing minorities and human rights, therefore, a minority can be defined as any group that is reasonably identifiable and cohesive and whose members face threats to their physical, material, psychological, or cultural well-being because of its membership in that identifiable group.

That minority rights are threatened is clear. From Jews to Kurds to gays, minorities are under attack. Some of these attacks threaten a minority's survival as an independent culture. Others affect their material prosperity, while still others threaten their very existence.

WHAT ARE MINORITY RIGHTS?

The United Nations proclaims its support for minority rights in a number of documents. The International Covenant on Civil and Political Rights (1966) declares, "in those States in which ethnic, religious, or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language." The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorites (1993) expands on the 1966 Covenant by detailing the specific rights adhering to minorities, starting with Article 1, which proclaims, "States shall protect the existence and the national or ethnic, cultural, religious, and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity."

The minority rights that should be protected fall into two categories: individual rights and group rights. Individual rights that need protecting for minorities are those rights that should be shared by all people, whether they belong to the majority or the minority, but are denied to a minority because of prejudice or government policy. Group rights are rights that are particular and peculiar to a specific minority culture.

Individual minority rights are the less controversial of the two types of minority rights. No reasonable person would deny that individual members of a minority

should have the same access to rights as do members of the majority, including the rights to free speech, freedom of movement, and political freedoms. Yet minority individuals frequently are denied these rights.

The issue of group minority rights is more complex than that of individual minority rights. The United Nations' 1993 Covenant on Minorities defends the right of minority groups to maintain their cultural identity and calls upon governments to help them in this endeavor. Cultural rights might include the right to speak a language different from that of the majority, the right to practice different religious rituals, or the right to maintain distinctive styles of dress. As the Covenant puts it, "Persons belonging to national or ethnic, religious and linguistic minorities . . . have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination."

The question of group rights remains controversial for some. How far must governments go to protect minority language rights, for example? Must they ensure that some television and radio stations broadcast in the language of a minority, as some countries' governments do? And do cultural groups deserve special rights (as opposed to individuals in those groups)? In the United States, there is strong support for civil rights for all people, no matter what their racial or ethnic background, but there are also many Americans who think that all people should be required to use English in the work place or when dealing with government forms and offices. These Americans would grant individual immigrants all the rights that they themselves possess, but do not wish to allow for any protection for their culture. In a more extreme example, the Turkish government claims to be willing to give all its Kurds (a minority ethnic group living in Turkey) the same rights as Turks, as long as they do not try and maintain their identity as Kurds. If the Kurds resist, as many do, the Turkish government uses the police and army in an attempt to force them to embrace Turkish language and culture.

ATTACKS ON MINORITIES

Minorities are under attack all over the world. These attacks can take many forms—physical violence, cultural assimilation, bias, and discrimination—but they all deny minorities their human rights.

At its worst, violence against minorities can result in genocide. In 1994, a racist Rwandan government led by extremist Hutus—the majority ethnic group in Rwanda—orchestrated a mass slaughter of approximately 800,000 Tutsis—who made up 15 percent of the population. Hutu government radio stations called upon the people to kill what they called *inyenzi* ("cockroaches"), and the people, led by pro-government militias, obliged. The mass killings took two months to complete and may have succeeded in eliminating at least half of Rwanda's Tutsi population. The killings only stopped with the successful invasion of a pro-Tutsi army based in Uganda. Other genocidal attacks on minorities have taken place in Iraq (where Saddam Hussein used poison gas against Iraqi Kurds), Indonesia (where government-backed Islamic militias slaughtered East Timorese Christians), and in Kosovo (where Serbian troops and militias attacked Kosovar Albanians).

In Europe, immigration from Arab and other Muslim countries has provoked an anti-immigrant and anti-minority reaction.

In some of these countries political parties have formed whose purpose is to attack the presence of these newcomers. In France, the National Front, led by Jean-Marie Le Pen, has called the Arabs outsiders—although many of them were born in the country—and ridiculed the "smells" that come from their neighborhoods. Police brutality against minorities is commonplace in French urban areas. (Le Pen's supporters have also attacked Jews, and the rise of his party has coincided with an increase in anti-Semitic incidents, including vandalism of Jewish cemeteries.) Germany is another country where racist attacks on minorities have become common. The attacks in Germany are backed by far-right-wing political parties with connections to "skinhead" and neo-Nazi groups. Not all people in France and Germany are hostile to the minorities in their midst, and the anti-minority violence has inspired the creation of groups supportive of minorities. These groups include both Muslim immigrants and people of European ancestry.

Anti-minority violence can also be the result of political struggles. In Northern Ireland, the Protestant majority has dominated the region's politics and economy for hundreds of years. In the 1960s, Catholic civil rights demonstrators began marching and protesting discrimination in jobs, housing, and education. Protestant gangs responded with violence and were countered by Catholic groups, most famously the Irish Republican Army (IRA). The violence lasted from the 1970s to the 1990s and was called "the Troubles" by those in Northern Ireland. A 1998 peace agreement gave the Catholic minority—who make up about 40 percent of the population—a share in the governance of the province, and may mark the end of anti-minority violence. (Anti-Catholic marches continued in 2000, but were not given the same degree of support by the Protestant majority as they had in the past.) More than 3,000 people have died in Northern Ireland as a result of "the Troubles."

In other countries, attacks on minorities are less violent, but discrimination and prejudice remain problems. In the United States, all people, no matter what their ethnic or religious affiliations, share equal rights. Nevertheless, discrimination continues. African Americans have a lower average income per person than the general population and comprise a disproportionate share of the prison population. Until recently, there were clubs and resorts that excluded African Americans and Jews. Anti-minority violence, while not as common as in many places, continues. In 1982, an Asian American named Vincent Chin was beaten to death by two men who were angry at him because they blamed the Japanese for taking their jobs. Chin, however, was of Chinese descent. The men were convicted of manslaughter, but neither one served a day in jail. In 1998, a man named James Byrd, Jr., was dragged to his death on a Texas highway because he was black. In New Jersey, gangs of teenagers calling themselves "dot-busters" have harassed Indian immigrants (many Indian women wear painted marks on their foreheads as a religious sign).

A worldwide minority community that faces discrimination and attacks is that of homosexuals. Homosexual activity is illegal in many parts of the world, including most of Africa and the Middle East, as well as some states in the United States (although, in practice, the laws in the United States outlawing homosexual activity are seldom enforced). Even when gays and lesbians are not a legally persecuted minority, they face discrimination by homophobic

people in public and in the work place. Violence against homosexuals is common throughout the world.

PROTECTION FOR MINORITIES

The protection offered to minorities—the protection called for by UN resolutions—varies greatly from country to country. Some countries go out of their way to offer protection for minorities and their cultures. In Scandinavia, the Sami, an indigenous people, have their rights guaranteed by law. The Sami language is supported by the government, and laws protect the Sami from violent attacks. Canada has similar, though less extensive, legal protections for the Inuit peoples of the northern territories.

In the United States, protection for minority rights is written into law. The original framers of the U.S. Constitution added the Bill of Rights, the first ten amendments to the Constitution, specifically to defend the rights of political minorities, and these rights apply to ethnic and racial minorities as well (although minorities have not always been protected by them in practice). The Constitution, combined with subsequent laws passed by Congress, makes it illegal to discriminate against people on the basis of their race, ethnicity, or religion. The United States has also enacted a variety of what are called "affirmative action" programs, which give job and educational opportunities to members of minority groups who might not otherwise have access to them or have historically been denied them. These affirmative action programs have been attacked in recent years; some critics call them a form of reverse discrimination, because majority groups are, in effect, being discriminated against. Affirmative action advocates respond by saying that affirmative action programs merely counteract the racism that still bars advancement for minorities (as well as making up for past injustices that have left minorities at an economic disadvantage). Another form of minority protection is hate-crime law. These laws declare that crimes against certain groups—African Americans, Asian Americans, gays, and others—that are motivated by hatred deserve harsher penalties. Hate-crime laws are criticized by some because they penalize criminals not only for their actions but also for their thoughts, and thus are an indirect attack on the rights to free speech and free expression.

Although the United States has a body of laws protecting the rights of minorities, these laws are not universally respected or supported. Minority rights advocates argue that there need to be more laws, and they need to be more strictly enforced, before minorities can enjoy full human rights. Critics believe that the laws have gone too far and that what little prejudice exists in the United States is largely caused by programs like affirmative action.

Similarly, in Japan, there are strict laws designed prevent discrimination against the Burakumin, a cultural subcaste, but in practice these laws are ignored or subverted. Japanese companies do their best to avoid hiring Burakumin, and the average per capita income of the Burakumin is far lower than that of most Japanese.

While the idea of laws protecting minority rights is largely accepted by Scandinavia, hotly debated in the United States, and paid lip service to in Japan, in many other parts of the world it is rejected outright. In Guatemala, Myanmar (formerly Burma), Sudan, and Indonesia, for example, minorities have little or no legal protection against discrimination.

ASSIMILATION

Another threat to minorities is assimilation. This threat is more insidious because it does not take away the lives or property of individuals but, instead, subverts their culture. Members of minorities are encouraged to speak the language of the majority, dress like the majority, and forget their own cultural heritage. Assimilation can be forced, as in Turkey, where Kurds are made to speak and publish in Turkish, rather than Kurdish, or it can be the result of social and media pressures, as in Canada, where young Native Americans—surrounded by English television, radio, and movies—learn English rather than their ancestral tongues. In the United States, assimilation is often seen as a positive process. Immigrants coming from other countries are encouraged to forget their old ways and embrace the culture of America. While some accept this, others see it as an attack on their history and traditions.

Other countries have a similar tendency to assimilate minorities. Arab immigrants to France are encouraged to speak French, and pressure is put on Arab women to abandon their traditional veils. In the United Kingdom, citizens of South Asian background learn to love cricket, fish and chips, and the Queen, yet still face attacks by xenophobic fellow citizens. In Tibet, native Tibetans are increasingly outnumbered by Chinese immigrants and face political and economic pressure to forget Buddhism and their spiritual leader, the Dalai Lama, and instead embrace the culture and opportunities offered by China.

CONCLUSION

The United Nations has passed several resolutions defending the rights of minorities, but discrimination and persecution continue. Sometimes this persecution can be stopped by outside intervention, which is what saved the Albanians in Kosovo and the East Timorese in Indonesia; sometimes it is altered by a change in governments, as in Rwanda; and sometimes it simply continues. Even when individuals' lives are protected, their ability to maintain their culture is threatened: the pressures of the majority culture are often too much to withstand.

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See also: Anti-Semitism; Indigenous Peoples; Kurds; Nationality and Citizenship; Racism; Self-Determination; Sexual Orientation and Homosexuality.

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Nationality and Citizenship

Nationality refers to membership of a particular nation or state. It is a universal human right to belong to a nation. The United Nations Universal Declaration of Human Rights (1948) declares in Article 15 that "everyone has the right to a nationality" and "no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality." To be without a nationality is to be unattached to any one country, or to be stateless.

It is understandable that the United Nations declared nationality to be an essential human right, because, in practice, it is from nationality that many human rights flow. A person's rights are protected by the government of the country of which he or she is a citizen. Without that connection to a particular government, there is no organized guarantor of human rights. In an ideal world, all people would have human rights, no matter where they might live or what their citizenship might be; in truth, however, people's rights are protected by their own nation. If no nation is willing to acknowledge a person as a citizen, then there is nothing to protect their rights; they live in isolation, vulnerable to the whims of whatever force happens to rule their community.

Citizenship can be denied for many reasons. In recent years, for example, large numbers of Turkish and Kurdish workers

Slovak nationalists celebrating the birth of the Slovak Republic, December 31, 1992.

emigrated to Germany seeking jobs. For many years the German government, short on labor, encouraged these *Gastarbeiter* (guest workers). But much as it welcomed the Turks and Kurds as workers, it had no desire to grant them German citizenship. German citizenship is based on German ethnicity: if your ancestors were German, even if you no longer speak German, you can claim German nationality; if your ancestors were not German, you have no such claim. The result of this test is that Turks who were born in Germany, who speak German, and who have never seen Turkey are still considered foreigners; yet ethnic Germans born in the former Soviet Union, who speak only Russian, can (and do) emigrate to Germany and successfully claim German citizenship. These rules leave the Turks and Kurds in a no-win situation: the country where they live and work does not wish to offer them permanent protection (and many individual Germans are quite hostile to these "foreigners"), but the country where their parents or grandparents were born has no desire to have them come home. (Turkey has its own economic problems and is not eager for the *Gastarbeiter* to return.)

Germany is not alone in its stand on nationality. Many countries, including most European countries, make it difficult for foreigners to gain citizenship. Even France, which is more open-minded than most other European countries, does not automatically grant citizenship to children born within its borders of non-French parents but, instead, requires an application process before citizenship is granted. (This position is based on the reluctance of many French to see North African immigrants—of whom there are a great many in France—become citizens of their country.)

Many problems connected to nationality result from wars and the refugees those wars create. One of the most intractable of these problems is that of the Palestinian refugees who fled Israel after its creation in 1948. As a result of the bitter struggles between Jews and Arabs in the 1930s and 1940s, some 750,000 Palestinian Arabs fled their homes, fearful of the results of a Jewish victory. The new state of Israel, claiming that the Palestinians had abandoned their homes voluntarily, refused to allow the refugees to return or to grant them citizenship. Not wanting to accept the burden of this influx of foreigners (and also eager to keep the issue of Palestine alive), the Arab countries to which the Palestinians fled—Lebanon, Jordan, Egypt—also refused to grant them citizenship. As a result, the Palestinians lived in makeshift refugee camps, which turned into permanent refugee camps. Lacking citizenship in any country and lacking any internationally accepted nationality, they became stateless refugees.

Because they lack a government to protect them, the human rights situation of the Palestinian Arabs has been grim. Their camps are dirty and poorly supplied with sanitation and medical facilities, they are at the mercy of both their hosts and the occasional wars that have swept through the Middle East, and they dream of going back to a home that many of them—now the children and grandchildren of the original refugees—have never seen. There are currently approximately 4 million Palestinians living outside the lands controlled by Israel.

Other refugees made stateless by war or political turmoil include the Bosnian Muslims, chased out of their homes by Serbian militias; Tibetan followers of the Dalai Lama, living in exile in India; and Hutu refugees, living in camps in the Congo, afraid of the Tutsi-dominated regime in Rwanda.

Few countries have as open a policy on citizenship as the United States. While the United States does not accept all immigrants as citizens—and has been harshly criticized by human rights advocates for its treatment of refugees—it also has no ethnic hurdles that must be overcome before citizenship is granted. Anyone, no matter what their race, religion, or country of origin, can become a citizen by meeting the requirements of the Immigration and Naturalization Service and passing an examination on the history and political structure of the United States. Moreover, any child born in the United States, no matter what the status of his or her parents, automatically becomes a citizen, and thus acquires nationality.

For the human right of nationality to become a universal reality, the countries of the world would have to at least match the example of the United States. And, as the United States is far from perfect in its treatment of refugees, the world, including the United States, has a long way to go.

Carl Skutsch

See also: Minority Rights; Refugees; Self-Determination.

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Native Americans

The situation of the indigenous people of North America is intertwined with issues connected to human rights. The term "human rights" connotes something that is considered universal and applicable across time and cultures. Rights are often thought to apply solely to individuals, rather than to peoples. The relationship between Native American, or Indian, communities and the United States warns of the possible dangers and abuses of this ideal. Early European justifications for colonization rested on views of rights that were narrow and largely Eurocentric. The United States used the notion of individual rights to justify the genocide and assimilation of Native American peoples. Even today, the American conception of rights often clashes with Native American ideals. Of course, the United States is not alone in oppressing indigenous peoples, whose struggles for their human rights rage worldwide.

EUROPEAN JUSTIFICATIONS FOR COLONIZATION

From the start of the discovery of the so-called New World, European characterization of the indigenous peoples of the Americas as uncivilized savages was used to justify colonization and genocide. Human rights therefore applied to Europeans, or only those people who fit into a European framework of rights. Many Europeans proclaimed their duty to extend the Christian dominion and to save "heathens" and educate the "backward" Indians.

After the Protestant Reformation split Christianity, justifications that were more secularly grounded gained increasing prominence. A common argument was that the land of the Americas was empty and uninhabited. The indigenous people of the Americas were viewed as hunter-gatherer savages without civilized forms of government. Philosophers such as John Locke—who was an early proponent of the idea of human rights—argued that the "nomadic" natives of the Americas had not acquired a right to property or dominion because they had not settled, worked, and farmed the land in the Americas. Indians were left out of the European conceptions of rights because their cultures and governments did not operate in ways familiar to Europeans. The Indians thus were, in effect, not human and had no rights to be respected.

However, during the early periods of exploration, the British and French largely dealt with the tribes of North America as legitimate entities with which they had to make treaties and establish diplomatic relations. One of the complaints of American colonists in the American Revolution was that King George III of England had wrongly forbidden settlement west of the Appalachians in order to protect the Indians. Indian nations were often strong military powers and had to be treated with respect.

UNITED STATES AND THE INDIANS

In the context of U.S. constitutional law, the indigenous peoples of North America were considered "domestic dependent nations" within a nation. Chief Justice John Marshall (who presided over the Supreme Court in the 1830s) declared that the Indi-

ans and the United States existed in a "ward-guardian" relationship. The United States did not treat its wards well, and despite some Supreme Court rulings in their favor, the United States proceeded to take away Indian rights. The method of extinguishing Indian rights has varied in the United States, from mutually agreed upon treaties, to confiscation of land followed by later "compensation" (usually very paltry), to outright unilateral decisions made by the federal government.

The U.S. government has broken some part of every single treaty it has signed with Indians. Throughout history, Indian nations that refused to sign treaties often found themselves at war with the U.S. Army. The rush of American settlers westward created increasing demands on the Indians to cede more land to the United States. After the Civil War, the United States decided it was too expensive to keep making treaties that compensated Indians for their land, so it moved to take land and establish Indian reservations by congressional legislation. If any compensation was given, it was far below the value of that land and ignored that Indians in many cases had a special attachment to that land where their ancestors had lived. These actions were often justified by the idea that cheating the Indians was necessary to spread westward American democracy and rights.

The stated goal of American policy throughout the latter part of the nineteenth century, and supported by many self-proclaimed Indian rights advocates, was to assimilate and educate Indians as individuals into American culture and society. The 1887 General Allotment Act tried to break up the "tribal mass" of Indians on the reservations and force many Indians to become farmers on individual plots of land. The "surplus" Indian land was given to the military and sold to settlers, with Indians usually being left with the most barren pieces of land. The breaking up of tribal lands helped to damage and weaken Indian culture.

As part of a program of assimilation (something that today would be considered "cultural genocide"), Indian children were forced to attend special boarding schools aimed at educating them in civilized Christian ways. Physically separated from their families for years, children were often brutally treated and forced to forget their tribe's culture, language, and heritage. Many Indian children grew up alienated from their tribe, but still never quite fitting into white society. Splits developed in native communities between traditionalists and those Christianized and educated in the boarding schools. The federal government often singled out the "educated" Indians for special favors and worked to destroy traditional forms of authority.

In the pursuit of this ideal of assimilation, rights that most Americans normally held were disregarded. The military and the powerful Bureau of Indian Affairs often ran the reservations, forcibly denying Indians the right to free speech and to practice Native religions.

The Indian Reorganization Act of 1934 changed the government's course somewhat by instituting some measure of self-governance back to the tribes. Government rhetoric spoke of allowing Indians to govern themselves, but the Bureau of Indian Affairs often insisted that tribes adopt constitutions that enacted "democratic" forms of government foreign to many Indian traditions. The federal government also still had control and veto power over many of the tribes' affairs.

In the 1950s, after the Supreme Court struck down the laws permitting "separate but equal" schools for different races, con-

gressional policy headed in a new direction. The tribes were to be eliminated and their individual members absorbed into the larger culture. This was not the physical genocide of the nineteenth century, but it amounted to cultural genocide. The Indians as a tribal people were to be destroyed. This was the ultimate logical extension and conclusion of the U.S. policy of assimilation. By government fiat, several tribes ceased to exist legally as sovereign tribes, including (temporarily) the Menominee of Wisconsin.

The modern era of "self-determination" began when President Richard Nixon repudiated the goal of tribal elimination. The stated goal of the United States today is to encourage Indian tribes to govern themselves. While the United States unilaterally took away many Indian rights, the U.S. courts held that the Indians' rights flowed not from American law, but from the Indian sovereignty that was still retained.

In the minds of many Americans, a tension exists between group rights and individual rights. The basis of group rights for Native Americans legally rests on the historical relationship between different political communities. Different arguments, such as protecting minority cultures, have been advanced for the continuing existence of Native American tribes. The United States had not given "special rights" to Native Americans. The rights Native Americans have are rights reserved by a sovereign group and are not rights granted by the United States.

Native Americans tribes also face a variety of other problems, as a result of both the legacy of genocide and of the continu-

Native Americans protest the testing of nuclear weapons near their lands.

ing attempts to limit their sovereignty. Poverty, unemployment, and crime are generally plentiful on reservations. Schooling, once a tool meant to assimilate Native Americans, is now so bureaucratized through the federal government as often to be ineffective. While some treaty rights, such as fishing rights, have been recognized to some extent, water rights and other rights are often not fully recognized. The issues are many and complex and do not always receive the full attention of Congress and the American public.

American notions of property often clash with Native Americans' desire to have access to sacred sites on private and government-owned land. Land once taken from Native Americans that is still sacred to them often cannot be accessed. The Supreme Court held in 1988 that government agencies managing public land can develop that land ("its land") without any concern for whether Native American sacred sites would be affected. Holy places must make way for new logging trails. The land that had been taken from Indians legally can be desecrated without any concern for the past at all.

Land claims still remain unresolved for many Native Americans; where they have been resolved, they have been "settled" by pennies on the dollar (or worse). An illustrative claim concerns the Black Hills of the Dakotas. In 1980, the Supreme Court ruled that the Black Hills were taken unfairly, in violation of the 1868 Fort Laramie treaty, and that the Sioux Indians were owed "just compensation," in the form of money. But the ruling did not allow the accounting of the billions of dollars of gold and minerals extracted from the Black Hills over the last century. Though the U.S. government has offered millions to the Sioux to settle the claims, the Sioux have consistently refused, claiming the land itself is sacred to them. Senator Bill Bradley (D-NJ) introduced a bill several times in the 1980s that would have partially given the Black Hills back to the Sioux, but it did not pass. The Bureau of Indian Affairs has put the settlement money in a trust fund, considering the matter closed.

The criminal justice system also places many obstacles in the way of Native Americans. Federal, and especially state, courts are perceived by many Native Americans as racist (or at the very least, insensitive to cultural difference). Leonard Peltier, a leader of the militant American Indian Movement, has been held in jail for over two decades for being wrongly convicted of killing two FBI agents. Government officials have admitted that Peltier was not guilty of the killings and that it fabricated evidence. U.S. attorneys have said that Peltier would not be found guilty if he were retried today. Yet advocates for Peltier have been unable to get his conviction overturned or have him pardoned, making Peltier, in the eyes of many, a political prisoner.

OTHER NATIVES OF THE AMERICAS

To be fair, it should be said that the United States is not alone in its disregard for indigenous rights. Many countries refuse to recognize indigenous peoples or take their land claims seriously. Mexico faces the problem of dealing with the demands of indigenous peoples in Chiapas, for example. Brazil's development policies lead the government look the other way as settlers take land from its indigenous peoples, leading to further decimation of the rain forest.

While Canada has often been portrayed as more benevolent than the United States in its Indian policy, the truth is more complicated. Canada also signed many treaties,

which were not all fully kept, with aboriginal peoples (or First Nations, as they are also called in Canada). Canada also instituted similar policies of assimilation, such as boarding schools. In 1969, the Canadian government announced its intention to eliminate any distinction between aboriginal people and "regular" Canadians. However, the government backed off this promise under a flurry of protest.

Today, Canada's constitution protects aboriginal treaty rights. Only in the last decade have Canadian courts begun to recognize that aboriginal rights do not come from Canada, but that aboriginal people retain some sovereignty derived from their ancient status as a people. In 1998, Canada allowed the admittance of a tribe's oral history as evidence in court, in recognition of the differences between cultures. Still, aboriginal rights in Canada are on the national agenda and under great discussion in a way that is almost inconceivable in the United States.

CONCLUSION

The fight for international recognition of indigenous rights has advanced, but it remains stymied. The right to self-determination has been an internationally recognized right, but its application has generally been limited to apply only to overseas colonies, not to indigenous peoples within a state. While there has been limited success, attempts to implement new human rights law in the United Nations, or to reinterpret old international law, have largely been blocked for political and economic reasons and because of the concerns and intents of powerful countries.

The fiction of a single unitary state containing equal rights for everyone has been an ideal fraught with problems. Early UN human rights documents gave minorities the right to assimilate into mainstream society, rather than to maintain their distinct identities. The ideal of human rights must not be cast in narrow individualist concerns. The world is divided into separate states, and current international law recognizes the rights of different political communities to exist within those states. Like other indigenious peoples, Native Americans have rights both as individuals and as groups, and those rights include keeping alive the tribal entities that are central to their culture and their sense of self.

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See also: Indigenous Peoples.

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Nobel Peace Prize

The Nobel Peace Prize is one of five prizes created by the will of the Swedish inventor and capitalist Alfred Nobel (1833–1896). (The other Nobel Prizes are for physics, chemistry, physiology or medicine, and literature. A sixth prize, for economics, was added in 1969.) Originally the recipients of the Peace Prize were generally statesmen and officials who helped to bring about peace between nations, but in the last twenty years there has been a trend toward awarding prizes to activists who have worked to advance the cause of human rights.

Alfred Nobel's wording allowed such flexibility: "The whole of my remaining realizable estate shall be dealt with in the following way: the capital, invested in safe securities by my executors, shall constitute a fund, the interest on which shall be annually distributed in the form of prizes to those who, during the preceding year, shall have conferred the greatest benefit on mankind." It is ironic that Nobel himself did little to benefit mankind during his lifetime. He made his fortune developing new kinds of explosives, including dynamite and blasting gelatin, and later expanded his wealth by investing in the arms industry. He was called "the merchant of death" during his lifetime, and perhaps he founded the Nobel Prizes as a way of balancing his legacy.

The Nobel Peace Prize is awarded by the Norwegian Nobel Committee, which is made up of five individuals. Members serve a six-year term and are appointed by the Norwegian Parliament. The current members (for 2000–2002) are Gunnar Berge, Gunnar Johan Stålsett, Hanna Kristine Kvanmo, Sissel Marie Rønbeck, and Inger-Marie Ytterhorn.

Noble Peace Prize winner Nelson Mandela.

The following people and organizations are given the right to nominate Nobel Peace Prize candidates:

1. Present and past members of the Nobel Committee and the advisors at the Nobel Institute; 2. members of national assemblies and governments, and members of the Inter-Parliamentary Union; 3. members of the International Court of Arbitration and the International Court of Justice at The Hague; 4. members of the Commission of the Permanent International Peace Bureau;

5. members of the Institut de Droit International; 6. present university professors of law, political science, history, and philosophy; and 7. holders of the Nobel Peace Prize.

HUMAN RIGHTS ADVANCED

The emphasis in recent years has been to award Nobel Prizes for humanitarian reasons:

The 2000 Nobel Peace Prize winner was South Korean president Kim Dae Jung. Throughout his life he has worked toward reconciliation with North Korea, spoken out strongly for democracy and human rights, and denounced repression in Myanmar (formerly Burma) and East Timor.

The 1999 Nobel Prize recipient, Doctors Without Borders/Médecins Sans Frontières, is an organization of physicians dedicated to serving the sick and wounded in troubled areas of the world. They have been particularly active in war zones, which in recent years included Bosnia, Kosovo, Ethiopia, and Chechnya.

The 1997 prize was given to the International Campaign to Ban Landmines and Jody Williams, who helped to spark the grassroots movement to ban land mines. (Land mines cause thousands of deaths and dismemberments every year, even long after the end of the wars that led to their placement.)

The 1996 prize was given to José Ramos-Horta and Bishop Carlos Filipe Ximenes Belo. Both men spent many years opposing Indonesian oppression in East Timor. This prize angered the Indonesian government, which has denied human rights violations, but cheered human rights activists around the world who have called East Timor a human rights disaster.

The Nobel Peace Prize often has the affect of ruffling the feathers of governments accused of human rights violations. Indonesia is only one example of a government embarrassed by the world spotlight that the Nobel Peace Prize casts on it. The 1991 award of the prize to Myanmar activist Aung San Suu Kyi disturbed that country's repressive leadership, which had kept Aung San Suu Kyi under house arrest from 1989 to 1995. The Nobel Prize is probably one of the pressures that helped lead to her release (although she remains closely supervised by the government). Similarly, the 1989 award given to the Dalai Lama helped draw attention to the Chinese government's repressive behavior in Tibet.

Other prominent human rights activists awarded the Nobel Peace Prize include Rigoberta Menchú, Elie Wiesel, Bishop Desmond Tutu, Nelson Mandela, Lech Walesa, Adolfo Pérez, and Martin Luther King, Jr.

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See also: Aung San Suu Kyi; Mohandas Gandhi; Martin Luther King, Jr.; Land Mines; Nelson Mandela.

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Nuclear Weapons

Nuclear weapons are the ultimate weapons of mass destruction. At the moment they detonate, they kill by the intensity of the blast and the heat that they generate. They also produce radiation, which can travel through the atmosphere and cause illness or death within days or weeks after the weapon has been detonated. Even if not immediately lethal, radiation can also cause the later appearance of life-threatening medical conditions in a victim or genetic mutations in future generations. It can destroy the environment and make it uninhabitable. Nuclear weapons are indiscriminate in their devastating power, affecting combatant and civilian populations alike. There is a generally shared view that the suffering caused by their use cannot be justified by the accomplishment of any military objective. The use of nuclear weapons, no matter what the justification, is a gross violation of human rights.

From its inception, the United Nations has been vitally concerned with nuclear weapons and the threat to the right to life of all humanity posed by their possible use. The first resolution adopted by the General Assembly in 1946 set up the Atomic En-

In England, antiwar demonstrators protest the use of nuclear and other weapons of mass destruction, 1991.

ergy Commission and charged it with the task of developing possible plans for eliminating nuclear weapons. It also established various bodies, including the Disarmament Commission and the Committee on Disarmament, to work on an international level for nuclear disarmament.

Throughout the cold war and the nuclear arms race between the United States and the Soviet Union, the United Nations consistently advocated nuclear disarmament and the destruction of nuclear weapons stockpiles, citing its responsibility under the UN Charter to "maintain international peace and security" and "to promote and encourage respect for human rights and for fundamental freedoms."

The United Nations took many steps in the 1960s, 1970s, and 1980s to move the superpowers in the direction of disarmament. In 1961, a strongly worded General Assembly resolution stated that the use of nuclear weapons would violate the UN Charter, cause "indiscriminate suffering and destruction" and be "contrary to the rules of international law and to the laws of humanity." Any state employing such weapons would be "acting contrary to the laws of humanity and committing a crime against mankind." This resolution would be reissued several times over the next twenty years.

In 1966, the secretary-general released a report called "The Effects of Possible Use of Nuclear Weapons and on the Security and Economic Implications for States of the Acquisition and Further Development of these Weapons," which contained the findings of a group of experts on the ramifications of conducting a nuclear war. It concluded that the possible hazards for the world's population were too great to ever justify the weapons' use.

The United Nations also supported, and in several cases initiated, the numerous international treaties that were signed over the years limiting the uses of nuclear weapons and technology. The major treaties include:

1. The Nuclear Test Ban Treaty (1963), which prohibited testing nuclear weapons in space, above ground, or underwater.
2. The Outer Space Treaty (1966), which banned putting nuclear weapons into space.
3. The Nonproliferation Treaty (1968), in which countries with nuclear weapons agreed not to assist countries without nuclear weapons in acquiring nuclear weapons or technology.
4. The Seabed Treaty (1972), which banned placing nuclear weapons on or under the seabed or ocean floor.

There have also been a number of treaties signed by the two major nuclear powers, the United States and the Soviet Union (now Russia). These include:

1. The Strategic Arms Limitation Treaties I (1972) and II (1979). The first treaty limited antiballistic missile launch sites and imposed a five-year freeze on the testing and deployment of certain types of nuclear weapons; the second treaty limited the numbers of offensive nuclear weapons each country could maintain.
2. The Intermediate-Range Nuclear Forces Treaty (1987). It eliminated medium- and short-range missiles.
3. The Strategic Arms Reduction Treaty I (1991). This was the first treaty in which the superpowers agreed to begin to reduce their nuclear weapons stockpiles.
4. The Strategic Arms Reduction Treaty II (1993). This calls for reduction of long-range missiles and the elimination of certain other types of nuclear weapons.

While supporting all of these treaties, the UN General Assembly had also, in 1981, reiterated its own stance on nuclear weapons with the "Declaration on the Prevention of Nuclear Catastrophe," which unequivocally stated that "nuclear weapons are capable of destroying civilization on earth" and therefore "states or statesmen that resort first to the use of nuclear weapons will be committing the gravest crime against humanity."

The years since the breakup of the Soviet Union and the end of the cold war have generally seen positive movement toward the non-proliferation of nuclear weapons. In spite of the fact that many more nations now possess nuclear weapons and technology, the number of states that have signed the Nonproliferation Treaty is well over 150 and growing. Nuclear weapon–free zones have been established in Antarctica, the South Pacific, the Caribbean, and South America; and the United Nations periodically calls for the establishment of such zones in the Middle East and southern Asia as well.

James R. Lewis

See also: Conventional Weapons.

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Palestine and the Palestinian Authority

Palestine is not an internationally recognized national entity, but the Palestinian Authority (PA) governs certain areas in the territories controlled by Israel (the Occupied Territories), and there are hopes, among Palestinians, that these areas will eventually be granted full independence. The areas under Palestinian Authority governance include parts of the West Bank, which lies between Israel and Jordan, and the Gaza Strip, which lies between Israel and Egypt.

There has been no accurate census of the Palestinian Occupied Territories by Israel. The majority of the population are Sunni Muslims. There is a minority Christian population divided between Catholic, Orthodox, and Protestant denominations, based in and near the neighboring cities of Ramallah, Jerusalem, and Bethlehem.

ISRAEL AND THE OCCUPATION

The human rights situation in the Occupied Territories is closely linked to the Palestinian-Israeli conflict. The series of battles from 1947 to 1949 between the Arabs and Jewish settlers led to the separation of UN-mandated Palestine into what became Israel, on the one hand, and Jordanian- and Egyptian-controlled Arab territories, on the other. As a result of this war, around 750,000 Palestinian left their homes as refugees, many migrating to neighboring countries, to the West Bank, and to the Gaza Strip. Ever since this war, Arabs and Israelis have been in dispute about these Palestinian refugees—should they be allowed to return to their homes (something that most Palestinians favor and most Israelis oppose), the borders of Israel, the status of Jerusalem, and other security matters.

These issues of dispute have led to a protracted series of conflicts and an intermittent state of war between Israel and Arab countries. In the June 1967 Arab-Israeli war, Israel occupied the remaining areas of Palestine, including the West Bank, East Jerusalem, and the Gaza Strip. This placed many Palestinians under direct Israeli authority and has led to conflicts ever since. The wars and Israeli control of the Occupied Territories have also involved many human rights violations.

In 1993, the Palestine Liberation Organization (PLO) and Israel embarked on a peace process that was designed to end the conflict between the Palestinians and Israelis. Israel and the PLO agreed to a five-year interim period during which the issues in dispute would be resolved. Subsequent agreements have called for the withdrawal of Israeli forces from parts of the Occupied Territories and the transfer of powers to an interim Palestinian Authority, established by the PLO and headed by its chairman, Yasser Arafat.

By 2000, the Palestinian Authority had military control over small sections of the Occupied Territories and civil control over a larger area. The remaining areas of the Occupied Territories are in Israeli hands. Except for the increasingly expanding Jerusalem municipality, these areas of the Occupied Territories are administered by an Israeli military administration.

Across most of the Occupied Territories, Israel retains overall control for security

under the agreements and can demand that the Palestinians ensure Israeli security in areas controlled by the Palestinian Authority. This includes the power to demand that suspects be handed over on request and without a formal extradition process and the right to chase Palestinians into the Occupied Territories, even those parts administered by the PA.

Whether Israel will allow Palestinians complete control over all the Occupied Territories is a critical and hotly debated question. Many Israelis wish to have peace with their Arab neighbors and so are eager to give them the independence they desire. Other Israelis fear that, once free, the Palestinians will use the West Bank and the Gaza Strip as staging areas for attacks on Israel, which some Palestinian Arabs wish to retake entirely. And still others believe that the Occupied Territories rightfully belong to Israel as outlined in the Bible. The debate inside Israel is matched by debates and animosities among Palestinians. Extremists on both sides are willing to use violence and terror to achieve their ends.

Israeli operatives have been known to undertake intelligence and other security operations in Palestinian Authority areas and the Israeli Parliament has declared that Israeli courts have jurisdiction to try Palestinians for actions in their own territories that may harm Israeli security. These actions clearly demonstrate that the PA is not a sovereign government.

The limitations on the Palestinian Authority's power mean that the Palestinians do not have their own independent state. They are forced to acknowledge Israeli authority. Although this causes great resentment among many Palestinians—and has been called a general human rights violation by international observers—Palestini-

Hamas fighters wearing masks lead a demonstration in the Gaza Strip. Hamas is an extremist Palestinian political group, 1993.

ans have more self-government today than they have ever had in the past.

In areas under its own security controls, Israel continues to pursue practices that sometimes violate human rights. Arrest, harassment, detention, interrogation, and imprisonment all occur with some degree of human rights violation. Although the numbers of Palestinians killed and injured has been substantially reduced, perhaps due to the removal of Israeli military from population centers, incidents are reported each year. Israel also pursues policies, particularly in and around Jerusalem, that the UN monitoring committees have found result in the violation of Palestinians' economic, social, and cultural rights. Israel argues that human rights treaties to which it is signatory do not afford protection to those living in the Occupied Territories.

In October 2000, renewed violence between angry Palestinian crowds demanding political rights and Israeli security forces led to the death of more than 140 Arabs (and at least eight Jews). The death toll from this new violence continued through the end of 2000. The new violence has placed the ongoing peace negotiations on hold and in jeopardy.

THE PALESTINIAN AUTHORITY

In 1996, the Palestinians elected their first government, consisting of an elected assembly, the Palestinian Legislative Council, made up of 88 members, and a chairman, Yasser Arafat. Arafat then appointed a cabinet, the majority of whose members are drawn from the legislature. There is also an appointed judiciary. Although a Basic Law was passed by the Palestinian Legislative Council, Arafat has been unwilling to sign it. Consequently, there is no formal constitution for the Palestinian Authority, though constitutional protection is to be found in numerous instruments of Palestinian law.

As the Palestinian Authority is not the government of a state, it does not have the capacity to sign international treaties. Nonetheless, at a meeting with Amnesty International in July 1994, the head of the Palestinian Authority confirmed the intention to respect all human rights treaties. Despite this confirmation, the PA does not protect many human rights in the areas under its control.

Democracy is not respected by the Palestinian Authority. The laws passed by the Legislative Council are seldom signed by the chairman, while over 100 executive decrees are enforced without approval or vote by the Legislative Council. Legislative Council members have been beaten, arrested, and imprisoned by PA security services, despite the legal immunity granted by their office. The Council has also been unable to constrain the executive, including cases where there are confirmed reports of ministerial corruption and misadministration.

Political cases are decided arbitrarily, and defendants have been denied the right to a fair trial. Political cases may be decided by any senior member of the executive, which may include governors of districts, mayors, and other local functionaries. In these instances, evidence, witnesses, and opposing parties may be interfered with in advance of trial. Even where trials take place, unsatisfactory judgments may not be enforced by executive agencies.

The Palestinian Authority has created parallel systems to the legislature and courts. Communal systems, political parties, executive authorities, and the security establishment all provide alternatives to the legislature and judiciary. These systems tend to be more cognizant of political con-

siderations and less concerned with formal considerations of equality in law, justice, or fairness. Critics argue that these systems are dominated by nepotism, corruption, and bribery.

The Palestinian Authority has also established the State Security Court, which is a military tribunal that will try and convict without ensuring a defendant's rights or due process. The perfunctory nature of the trial process has led many human rights groups to question the independence and impartiality of the court. There is no appeal from the State Security Court, and it operates outside the civilian court system. Three people have been executed following cursory trials and convictions in the State Security Court.

Critics and independent forces—such as the media, civil society, and political parties—are frequently intimidated, threatened, and harassed by executive authorities, whenever they criticize the Palestinian Authority. Numerous editors, journalists, and human rights activists have been arrested and detained for this reason. Usually these arrests are without warrant and detentions are without recourse to a tribunal and without the rights of access to a lawyer, family, or judicial authority.

Freedom of the press exists but is under pressure. Newspapers and radio stations have been closed down or distribution obstructed, usually temporarily. Political opponents and critics are regularly arrested. Groups with extremist beliefs, such as Hamas, Islamic Jihad, and the Popular Front for the Liberation of Palestine, have been subject to numerous arrest campaigns, sometimes at the insistence of Israel following bomb attacks. In many cases of arrest and detention, security forces have used excessive force, and interrogation has involved ill treatment. More than 350 people were arrested in 1999 for political reasons, some of whom were political extremists arrested in response to pressure from the Israeli government. Torture is alleged to have occurred after some of these arrests. Serious injuries have been inflicted on detainees, some of which have led to fatalities.

Competing and confused government structures are a feature throughout the Palestinian Authority. Critics have argued that the lack of regulation and supervision has encouraged abuses of power and human rights violations. In addition to civil and political human rights violations, social and economic inequalities also present problems. The economy remains underdeveloped, and many resources remain under Israeli control. The Palestinians have little command over their borders and lack money and materials for production. Most of the gross domestic product is generated by the large migratory workforce traveling daily to Israel, and the treasury relies heavily on international aid.

Rhys Johnson

See also: Cairo Declaration on Human Rights in Islam; Self-Determination; Terrorism.

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Peace

It can be argued that peace is the primary subject of international law and the main objective of organized international cooperation. When the United Nations (UN) was founded at the end of World War II, it was visualized as an international organization whose most important function was to keep the peace and to prevent another war. Article I of the UN Charter enumerates the organization's purposes. The first purpose listed is "to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace." Peace was, and is, considered a necessary condition for the full development and enjoyment of human rights by the world's population.

There is a strong tendency to think that if nations divest themselves of their arsenals of weapons, especially their weapons of mass destruction, then there will be peace. But, although the UN and other organizations continue to work toward disarmament, there is a growing awareness in the international community that the concept of peace encompasses much more than the laying down of weapons and that disarmament is only one of the steps that must be taken to achieve peace.

Today, in peace studies, much stronger emphasis is placed on the complete interdependency of peace and human rights, with peace increasingly being defined as a human right itself, one part of the "third generation" of human rights. The first generation consists of civil and political rights; the second of economic, social, and cultural rights; and the third, of rights like the right to peace and the right to development. These third-generation rights are collectively referred to as "solidarity rights," because they define the rights of individuals in relation to their membership in a collective society.

By examining some of the relevant documents, it is possible to trace the UN's shift toward this conception of peace as a human right. The Declaration on the Essentials of Peace, adopted by the UN General Assembly in 1949, in the early years of the cold war, emphasizes that for an enduring peace, nations must "refrain from threatening or using force . . . and from any threats or acts, direct or indirect, aimed at impairing the freedom, independence or integrity of any State," and they must "cooperate to attain the effective international regulation of conventional armaments . . . and the prohibition of atomic weapons." Peace was seen primarily as the absence and opposite of war. In 1968, however, an international conference on human rights was held in Teheran, Iran, and its Proclamation of Teheran demonstrated that the concept of peace was beginning to evolve into something more. It called for "recognizing that peace is the universal aspiration of mankind and that peace and justice are indispensable to the full realization of human rights and fundamental freedoms."

These concepts of the complete interrelationship of human rights and peace and of the necessity for a climate of peace in which human rights can flourish are stated in the UN Declaration on the Preparation of Societies for Life in Peace, adopted

by the General Assembly in 1978. The Declaration affirmed that states should, in the interest of establishing and maintaining a durable climate of peace, observe several basic principles. Those principles included recognizing that "every nation and every human being . . . has the inherent right to life in peace. Respect for that right, as well as for the other human rights, is in the common interest of all mankind and an indispensable condition of advancement of all nations" and that "every State, acting in the spirit of friendship and good neighborly relations, has the duty to promote all-around, mutually advantageous and equitable political, economic, social and cultural cooperation with other States, . . . with a view to securing their common existence and cooperation in peace."

Finally, in 1984, the UN General Assembly issued the "Declaration on the Right of Peoples to Peace," an unequivocal statement asserting the view that peace is a basic human right and a necessity for the full and unfettered enjoyment of all other human rights. It affirmed that "the maintenance of a peaceful life for peoples is the sacred duty of each State" and that "the preservation of the right of the peoples to peace and the promotion of its implementation constitute a fundamental obligation of each State." It called on states and other international organizations "to do their utmost to assist in implementing the right of peoples to peace."

Today, the UN continues to espouse this view of peace as a basic human right. Sadly, the world remains wracked by war.

James R. Lewis

See also: War; War Crimes.

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Police and Law Enforcement

Police are at the center of human rights. They face in two directions, with two possible attitudes toward the protection of human rights. First, the police can be the main defenders of people's human rights. In free societies, the police are the first people citizens turn to for protection against crime, domestic abuse, and racist attacks. In repressive societies, however, the police play the opposite role. They become the people's main oppressors and the primary tool of authoritarian governments bent on denying their citizens full human rights. And even in free societies, the amount of power given to the police can sometimes lead to abuses of that power and to violations of human rights.

It is unfortunate that the police are more often viewed as attackers of human rights rather than its defenders, but the latter role is vital. All people have the right to live in a safe and secure environment, to be protected from assault, rape, or robbery, and to have equal access to justice. A well-trained and well-led police force is essential for protecting these human rights. Without police, we would live in a world of anarchy and mayhem, where no rights would be possible.

According to international human rights watchdogs, the police forces of Western and Northern Europe, Canada, and the United States have the best human rights records

Guatemalan police face peasants protesting excessive taxes.

(Even so, of course, these police forces are not perfect, as is outlined later.) The police in these nations are professionally trained, reasonably well paid (many police officers are able to retire after twenty years of work), and watched over by well-regulated court systems.

Beyond the benefit of serving their own citizens, police can also be used to train other police to work more effectively. In 1994, the dictatorial government of Haiti was overthrown by American troops and replaced with a democracy. Haiti's old police force had been responsible for numerous human rights abuses and was viewed by most Haitians as more of a threat than a protector. To solve this problem, the United States spent almost $100 million to train a brand-new police force, unmarred by any of the crimes of the past. Taking part in their training were police from the United States. This new force, numbering 6,000, has been one of the few modest successes in a Haiti, which continues to struggle with human rights problems. Similar police training efforts have been carried through in Cambodia and East Timor.

POLICE ABUSE OF HUMAN RIGHTS

While many police forces work hard to protect human rights, all too often they are responsible for many of the human rights abuses in their countries.

Even in countries with well-trained and professional police forces, human rights abuses occur. In Western Europe—whose police, as has been said, have a generally good human rights record—there has been a recent rise in police brutality toward ethnic minorities. These human rights crimes are particularly common in Germany, Austria, Switzerland, and Belgium. Observers speculate that the large influx of Slavic war refugees (from Kosovo and Bosnia) and Turkish immigrants to these countries has helped to raise ethnic tensions, and the police may simply be part of an unpleasant xenophobic trend in European politics. For example, in 1999 a Sudanese refugee being deported from Germany was gagged during a plane flight; he died as a result. Such deportations are themselves human rights violations, and similar events have happened all across Europe.

The police in the United States are also usually well trained and professional in their behavior, but there are many individual exceptions. As in Germany, many of these incidents involve black victims and white police officers. Again, as in Europe, racism may be at the root of many of these police abuse cases. Moreover, human rights groups have accused some American urban police departments of covering up the human rights abuses that occur, rather than trying to prosecute the guilty officers and thereby contributing to a pattern of abuse. In the 1990s, there were a number of police brutality cases that received national attention. In 1991, the Los Angeles police stopped a speeding African-American motorist named Rodney King and, in the process of subduing him, beat him repeatedly; much of the beating was captured on videotape and replayed for shocked American television viewers. After the incident, one of the officers was recorded on his car radio as saying, "I haven't beaten anyone this bad in a long time." Anger over the incident—and at the continued police brutality toward African Americans that it seemed to represent—resulted in a large riot in Los Angeles in April 1992. In a horrific 1997 incident, Abner Louima, a Haitian immigrant in New York City, was taken to a police station and tortured; the police at first tried to

hide what had happened, but some of the officers involved were eventually convicted for their crimes.

Police abuse in the United States, as horrible as it is when it occurs, is generally agreed to be the exception rather than the rule. Even organizations such as Amnesty International—which has strongly criticized American police departments—agree that most police in the United States act professionally and show respect for human rights. Elsewhere this is less true. Many countries have police forces that ignore human rights as a matter of policy. Some of these departments are able to do so, in part, because they receive widespread support from both the government and the general population, which both see a strong and determined police force as more important than the defense of human rights.

In Turkey, for example, police brutality, including torture, is standard practice. Some officials have expressed fear of what might happen if the Turkish police were forced to abandon these traditional methods. A minister of the Turkish government said, "People are happy with the performance of the police. The police are capable of extracting confessions from the culprits. What's the use of creating a lot of fuss as long as public opinion endorses what the police do?"

If police respect for human rights in Turkey is weak, in much of the rest of the world the situation is far worse. The Turkish government has been at least making efforts to improve the behavior of its police forces (motivated by its desire to join the human rights–conscious European Union). The police in countries like China, Cuba, and Syria consistently violate the 1948 United Nations Universal Declaration of Human Rights' codes on torture and the proper treatment of prisoners. (For example, some Tibetan monks report Chinese police using electric prods to punish them for their loyalty to the Dalai Lama.) These countries lack any independent judiciary, and the primary function of the police is to serve the oppressive will of the state.

In some parts of the world where human rights violations had been common, this kind of police brutality is becoming a thing of the past. Chile, for example, where during the Augusto Pinochet regime the police used to arrest people and then have them "disappear," has begun to built a modern and responsible police force. Other Latin American countries have moved in the same direction, and South and Central America have much better police forces than they did in the 1980s and early 1990s. Brazil remains an exception. There, the police have been accused of murdering without trial people they think might be criminals. In 1993, in a particularly infamous example of police human rights abuses, a group of off-duty Brazilian police opened fire on a group of street children, killing eight of them; the police did this because they found the children, who were often petty thieves, to be a nuisance. This was not an isolated event. Human rights activists accuse Brazilian police of being involved in at least 500 murders a year during the late 1990s. Almost all of those suspected of being murdered by the Brazilian police were poor—many of them criminals or homeless—and so wealthier Brazilians have tended to ignore the problem.

In the Third World, police brutality is sometimes caused by political commands from the government, but more often it is the result of poor training and corruption. Local police officers in some parts of Africa are paid very little and have almost no incentive to treat those they arrest with any respect for human rights. Innocent and

guilty alike are crammed in small jails under conditions that are the equivalent of intentional torture. In some Rwandan jails, it has been alleged that the crowding is so severe that the prisoners cannot even sit down. Police in these countries often resort to extortion and even robbery of citizens to supplement their meager paychecks.

CONCLUSION

If the job of the police is to protect human rights, it is clear that, worldwide, they are failing. In Western Europe and North America the police are largely, with occasionally glaring lapses, respectful of human rights. In the rest of the world, the police are often the source of most human rights abuses.

Juvenal, an ancient Roman author, once wrote, "*Quis custodiet ipsos custodes?*" (Who shall guard the guardians?). The question is especially applicable to modern police forces. If they are the main defenses of the public, they can also be one of the most serious threats to human rights. With a monopoly of force in its hands, and with few legal restrictions, an unprofessional, unrestrained police force can become a threat to the society it was supposed to defend.

Carl Skutsch

See also: Crime; Domestic Violence; Prisons; Victims' Rights.

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Political Prisoners

Political prisoners are prisoners denied their freedom not because they have committed what are normally considered crimes—murder, robbery, assault—but because they are considered politically dangerous or troublesome. They usually are citizens of totalitarian or dictatorial governments who have tried to exercise their human rights to free speech, freedom of religion, or freedom of assembly. They are quintessential human rights victims, because they are almost always in prison because of their attempt to defend human rights. Many victims of human rights abuses are civilian casualties in the war against human rights abuse; political prisoners are usually the war's frontline soldiers.

BACKGROUND

The category of political prisoners has a long history. It begins with the modern era, when a nascent belief in human rights prevented governments from killing their opponents outright; instead, trumped-up charges such as treason would be slapped on the victim, and they would be whisked away to a dark fortress prison, never to be seen again. Alexander Dumas' mid-nineteenth century novel *The Man in the Iron Mask* is a story about such a prisoner locked away in the French Bastille. Although fictional, it is based on the true stories of many political adversaries who were locked away by the kings of France in the seventeenth and eighteenth centuries. In the nineteenth century it was the tsars of Russia who filled the vast expanses of Siberia with revolutionary activists (including many famous writers, such as Fyodor Dostoyevsky). Then, in the twentieth century, when those same revolutionaries (or their heirs) had turned Russia into the communist Soviet Union, it was the Communist Party leaders Joseph Stalin, Nikita Khrushchev, and Leonid Brezhnev who locked dissidents away in the Soviet gulag (prison camp system).

It was in the Soviet Union and the other Eastern bloc countries that the modern image of political prisoners was formed. The Soviet Union under Stalin created a vast camp system to contain those who opposed them, or those they simply deemed enemies regardless of truth. The most famous description of this camp system is Aleksandr Solzhenitsyn's *The Gulag Archipelago* (1973–1975). Solzhenitsyn showed how the gulag functioned, how the prisoners were treated, and how their human rights were denied.

Solzhenitsyn was the most famous political prisoner in the gulag, but the gulag was not the only system with political prisoners. In authoritarian countries, like Augusto Pinochet's Chile and Francisco Franco's Spain, anyone who tried to exercise his or her human right to free speech was likely to become a prisoner of the state. Even democracies had their political prisoners: Israel locked up Palestinians who were deemed a threat, and South Africa's apartheid-era regime imprisoned thousands of African National Congress members (the most prominent of these prisoners was Nelson Mandela, who later became South Africa's first black president).

With the ending of the cold war in the early 1990s, the political prisoners in the commu-

nist world gained their freedom. Elsewhere, the arrival of democracy—in Chile, Taiwan, Argentina, and other countries—led to an end of the government policies that had created political prisoners. But not all the political prisoners have been freed. Around the world, there are still governments that deny their citizens their rights and that will imprison those who oppose them.

A SELECTION OF MODERN PRISONERS

In recent years, perhaps the world's most famous political prisoner has been Aung San Suu Kyi, a Myanmar (formerly Burma) pro-democracy activist who was imprisoned by Myanmar's dictators because of her popularity with the people. For six years—from 1989 to 1995—she remained under house arrest, at first with no visitors allowed (which led to rumors that she had been killed by the government), and later with limited visitation privileges. She was awarded the Nobel Peace Prize in 1991 and became a symbol around the world because of her determined resistance to human rights abuses.

Although the government released her in 1995, Myanmar did not relax its repressive policies, and the government still holds many political prisoners. These people may be less famous than Aung San Suu Kyi, but their imprisonment is just as politically motivated and just as much a violation of human rights standards. For example, in July 1999, the Myanmar authorities arrested Ma Khin Khin Leh, a schoolteacher, whose only crime was being married to a pro-democracy student activist. Ma Khin Khin Leh was sentenced to life imprisonment for "disrupting security" and "contact with illegal organizations." She, like many others in Myanmar, remained a political prisoner as of mid-2000.

China, like Myanmar, is home to many of the world's political prisoners. Even though the Chinese government succeeded in crushing the 1989 Tiananmen Square protests, Chinese political dissidents have continued to organize political protests and pro-democracy activities. In response, the Chinese government has continued its policy of imprisoning its people because of their political opinions and words, denying them their basic human rights of self-determination and free speech. It was only in 1998 that Wei Jingsheng, perhaps the longest-serving political prisoner of the Tiananmen demonstrations, was released and deported to the United States, and many others remain in prison who are more recent victims of China's anti–human rights policies. Among those currently imprisoned are veteran dissidents Xu Wenli in Beijing, Qin Yongmin in Hubei Province, and Wang Youcai in Zhejiang; each is serving a long prison term because of membership in the China Democracy Party (CDP). They are a mere few among dozens of CDP political prisoners. Other Chinese political movements have faced similar repression and have had their members imprisoned for their pro-democracy and pro-reform beliefs.

In Tibet, many monks and nuns who support the exiled Dalai Lama have been imprisoned because of that support. The most prominent of these prisoners is the Panchen Lama. The Dalai Lama had declared a young boy, Gendun Choekyi Nyima, to be the reincarnation of, and therefore the next, Panchen Lama, who is the second most important figure in Tibetan Buddhism. China's government refused to recognize the Dalai Lama's choice and instead recognized another boy, Gyaltsen Norbu, as the Panchen Lama, putting Gendun Choekyi Nyima under arrest. No one has seen the original Panchen Lama or members of his family

since 1995. He is assumed to be a prisoner somewhere, a victim of China's repressive policies toward Tibet. The common use of torture in Chinese prisons makes the Tibetan political prisoners' situation a particularly ugly violation of human rights. Even after release from prison, some Tibetans' health is so badly damaged that they soon die. A monk, Ngawang Jinpa, died two months after serving his full four-year term, and Gandan Norbu, another monk, died almost three years after severe prison beatings damaged his kidneys. Both men were in their early twenties.

Some political prisoners are jailed not for what they have done, but as convenient scapegoats for crimes or actions a government wishes to punish, but for which they cannot find the actual culprits. In Peru, between 1992 and 1995, the government of President Alberto Fujimori carried out a large-scale anti-terrorism campaign as part of its war against the Maoist Shining Path guerrillas. Accused guerrillas were tried and convicted by secret tribunals. The procedures used to convict them were slipshod, with no juries and no cross-examinations. Trials sometimes lasted as little as twenty minutes. Many of those arrested were tortured in order to gain confessions (and many people confessed to whatever the authorities wanted, just to avoid torture). All these methods were blatant violations of the United Nations declarations on the human right to a fair trial. Although the trials did prosecute some real Shining Path members, they also tried hundreds of innocent people. These people languished in Peruvian prisons for as long as eight years before being freed, and hundreds of innocent people may still be in prison. They were not political prisoners in the usual sense of the word because they were not being punished for their political views, but they were prisoners of politics, innocent victims of a justice system unhampered by scruples or accountability. Although most of the "innocents," as the Peruvians call them, have been freed, their lives, bodies, and minds remain badly scarred by years of cruel treatment.

POLITICAL PRISONERS IN THE UNITED STATES

Mumia Abu-Jamal is perhaps the best-known alleged political prisoner in the American prison system. Mumia was a radio journalist well known for supporting radical black causes. In 1981, he was involved in a shooting incident in which a Philadelphia police officer was killed. Mumia claimed that he was merely intervening in a beating of his brother by police and that he was not responsible for the shooting (other men were alleged to have fled the scene of the shooting), but the police put the blame for the officer's death on Mumia. After a relatively quick trial—which critics say was characterized by falsification of evidence and lying police witnesses—Mumia was sentenced to death. His defenders claim that he is a political prisoner, railroaded because of his radical beliefs. His opponents, and the widow of the dead police officer, call him a cold-blooded murderer. Mumia's cause has attracted national attention and many prominent supporters.

Another alleged political prisoner in the United States is Leonard Peltier. In 1975, during a shootout on the Pine Ridge Indian Reservation, two Federal Bureau of Investigation (FBI) agents and one Native-American activist were killed. Peltier fled to Canada, but was later extradited, convicted of murder, and sentenced to life in prison. Peltier's defenders claim that Peltier did not kill anyone, and in any case the shooting took place

at a time of high tension between federal agents and members of the American Indian Movement (AIM). Dozens of Native Americans had been killed as a result of a conflict between AIM and more conservative tribal leaders (who were supported by the FBI). In this environment, according to supporters, Peltier and the other AIM activists reacted understandably to the appearance of an unmarked car with two armed men inside. In a separate trial, two other AIM members involved in the shooting were found innocent by reason of self-defense. Amnesty International has designated Peltier a political prisoner and called for his release, and he has acquired a long list of celebrity supporters, including Robert Redford.

CONCLUSION

Political prisoners, or prisoners of conscience, as Amnesty International calls them, are living symbols of human rights abuse. They are in prison because they would not cooperate with the state, because they demanded basic human rights, or because they were politically troublesome when free. Political prisoners are sometimes freed, such as Wei Jingsheng in 1998, but there are always more put into prison to replace those who have left. Political prisoners act as a kind of reverse canary in the mine shaft of human rights: just as canaries were carried by coal miners to warn them when oxygen was getting low, as long as political prisoners remain behind bars the world knows that human rights are not yet shared by all.

Carl Skutsch

See also: Aung San Suu Kyi; Nelson Mandela; Prisons; Trials.

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Poverty

Woman stands in a breadline in the United States, 1989.

In 1948, the Universal Declaration of Human Rights called for "the advent of a world in which human beings shall enjoy . . . freedom from fear and want." It was affirmed as self-evident that extreme poverty is incompatible with human rights. By including in the Declaration economic, social, and cultural rights, those who drafted this agreement were arguing that human rights involve more than simply protecting individuals from abusive treatment, but also involve guaranteeing them decent health care, education, shelter, and food.

Not all people agreed, or still agree, with this point of view. Some people believe that government only has the responsibility to protect its citizens' political rights; their physical well-being is a private matter and

has nothing to do with human rights. Not surprisingly, it is usually those who have no worries about finding food and shelter—those who are middle class and wealthier—who are most likely to emphasize political rights over economic rights. For the poor, the right to have enough food to eat has a lot more meaning than either the right to vote or the right to speak freely.

Those who deny that poverty is a human right tend to deny the necessity of providing assistance to the poor. Subsidized housing, welfare payments, government sponsored health care, all these are viewed by some conservatives as props for people who are unwilling to work. These attitudes have been responsible in cuts in social programs from the United States to the United Kingdom.

In 1989, the United Nations Commission on Human Rights affirmed explicitly for the first time that extreme poverty was a violation of all human rights. After years of opposition by conservatives, a report was commissioned, and in 1996 Leandro Despouy presented to the Commission his Final Report on Human Rights and Extreme Poverty.

This report marked a definite shift in the Commission's attitude. Mary Robinson, the new High Commissioner for Human Rights, worked with non-governmental organizations dedicated to helping the very poor. She opened the 2000 session of the Human

Labor rally in Philadelphia calls for more jobs and an end to welfare cutbacks, 1997.

Rights Commission in Geneva with these powerful words: "The first session in a new century is a good time to reflect and take stock. It is a good time to recognize that the central role human rights now plays in international and national life is no accident. . . . What I urge is that we recapture the spirit when the Commission first began under the Chairmanship of Eleanor Roosevelt with the commitment of prestigious representatives from every region of the world. If they were sitting here with us now, what human rights issues might they want to raise? I believe they would be shocked by the inequalities of our world, where a thousand million people lack access to clean water and where thousands of children die each day from preventable diseases. Eradicating extreme poverty is the greatest human rights challenge we face, and this Commission has the responsibility to develop the human rights framework within which it must be achieved."

How then is extreme poverty a violation of human rights? Despouy report begins by noting references to extreme poverty in international reports, as well as recommendations by the World Summit on Social Development held in Copenhagen in 1995. It gathers general statistical data on health, revenues, and housing—including the fact that one billion people live on less than one dollar a day.

Impoverished man sewing in a Bangladesh slum, 1992.

The report goes on to show how extreme poverty is an actual denial of twelve specific rights: (1) the right to a decent standard of living; (2) the right to housing; (3) the right to education; (4) the right to work; (5) the right to health; (6) the right to protection of the family; (7) the right to privacy; (8) the right to recognition as a person before the law and the right to be registered; (9) the right to life and the right to physical integrity; (10) the right to justice; (11) the right to take part in political affairs; and (12) the right to participate in social and cultural life.

To survive, the poor often must do things that deny their basic humanity, such as rooting through garbage to find food; begging for money from strangers; and engaging in prostitution to earn money.

Extreme poverty denies people's basic humanity. Without sufficient food, shelter, and health care, all other human rights are irrelevant. Poverty, therefore, is the one of the most pervasive and insidious obstacles to realizing human rights.

The difference between those living in-poverty and others is that they rarely have the means to effectively speak for themselves or to protect their rights. Extreme poverty has isolated them from others, so that people who do have a voice in society tend not to identify with them. With no one able or willing to fight for their human rights, they often end up having very few.

Bruno Tardieu

See also: Housing Rights and Homelessness; Hunger.

Haitian child roots through a garbage dump. Searching for valuables in garbage is a full-time job for some poor, 1994.

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Prisons

In Fyodor Dostoyevsky's novel *The House of the Dead* (1862), he wrote, "The degree of civilization in a society can be judged by entering its prisons." Dostoyevsky finished the novel after spending years in imperial Russian prisons, so he was familiar with prisons from the inside. Most people will never see the inside of a prison. This may explain why prisons remain shameful evidence of the world's often disappointing degree of civilization and its support, or lack of support, for human rights.

Article 5 of the United Nations Universal Declaration of Human Rights states, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." In 1955, the United Nations expanded on Article 5 by issuing the United Nations Standard Minimum Rules for the Treatment of Prisoners. These rules set the minimum standards that the world's nations should meet in their treatment of prisoners. These rules make it clear that even prisoners have human rights. But these rights are violated on a regular basis in almost every nation on the planet. Prisoners are raped, beaten, jammed into overcrowded cells, and locked up without enough air, food, or exercise. Prison authorities are eager to keep the general population unaware of the abuses that go on inside their prisons. For this reason, prisoners are often prevented from communicating with the outside world. When they do succeed in getting their message out, they often are met with apathy. Many people do not care what goes on in prisons; they simply wish that criminals be put away. Once criminals are imprisoned, there is the belief that nothing that happens to them matters.

PRISON OVERCROWDING

Prison overcrowding is a constant problem throughout the world. In many countries, some of the prison overcrowding is caused by the large number of prisoners who are being held while awaiting their court dates, but have not been convicted of any crime; they are being detained because they are suspected of having committed a crime. In Bangladesh, Chad, Guatemala, India, Peru, and Venezuela, for example, unsentenced prisoners make up the majority of the prison population. Some of these prisoners can spend years behind bars before finally being brought before a judge. Then, in many cases, they are found innocent of the crime with which they had been charged.

The number of people imprisoned in the United States is enormous. Approximately 2 million Americans are behind bars, the highest number in the world. (In 1990, this number was 1 million; in other words, America doubled its prison population in only ten years.) Russia, the next runner-up, has more than 1 million prisoners. In the United States, much prison overcrowding is the result of mandatory sentencing laws. People convicted of possessing or selling relatively small amounts of cocaine or marijuana can end up spending many years behind bars. Once in prison

Prisoners crowded together in Rwanda s Kigali Prison.

they tend to be barbarized by their surroundings; once freed from prison, they tend to quickly return, knowing no skills other than those they learned from other criminals while incarcerated.

In poorer parts of the world, prison conditions are so harsh that prisoners die at a rate far outstripping what is normal for the general population. Some of these deaths are caused by prisoner-on-prisoner violence, but most result from overcrowding, bad food, poor medical care, and the prevalence of disease (worsened by malnutrition and the lack of medical care). Tuberculosis (TB) is particularly prevalent in prisons. Cramped conditions and poor health care help spread this deadly disease. Russian prisons are especially hard hit by TB; an estimated one in one hundred Russian prisoners is infected with the disease. Approximately 20 percent of those infected have the multidrug resistant (MDR) strain. The breeding of MDR strains of TB in prisons has the potential to be a health catastrophe for the entire world.

PRISON CHARACTERISTICS

Prisons in many parts of the world are understaffed. Without enough guards to

watch the prisoners, the prison authorities tend to let the prisoners create their own social pecking order. The result is a world of brutality and violence. Occasionally the tensions engendered by this unchecked viciousness explode into riots and prison uprisings. An April 1998 riot in a Colombia prison left fifteen inmates dead; a May 1998 riot in a Brazilian prison killed twenty-two. In Venezuela, there are so few guards in the prison system that prisoners are able to smuggle in guns and grenades. These weapons are then used to intimidate or kill those prisoners who do not cooperate with inmate leaders. The prisoners form gangs, and those prisoners who do not join the gangs suffer constant abuse. In the United States gangs are usually organized along racial or ethic lines: white, black, or Hispanic. White gang members sport Aryan Nation tattoos and spout racist slurs. Racism is commonplace in these prisons.

In some countries' prisons, conditions are so bad that prison authorities severely restrict the access of any outside visitors, particularly journalists or human rights representatives. To deal with their manpower shortages, many prisons resort to barbaric methods of controlling prisoners. Pakistani prisoners are hobbled by heavy weights, which make walking a painful ordeal. Prison authorities wish to hide their methods of controlling prisoners, particularly their use of torture. Torture is commonplace in many of the world's prisons, including those in Egypt, China, and Brazil. In Turkey, years of allegations of torture by human rights groups—allegations that had always been denied by the Turkish government—were finally confirmed when a Turkish parliamentary committee in charge of investigating prison abuse issued a long report on the use of torture in Turkish prisons. In addition to extensive inmate testimony, their report included photos of torture devices and maps showing where special torture cells were located in different prisons and police stations across the country.

The quality of the world's prisons varies from ultramodern to antique and decaying. Both types have human rights problems. The older prisons often lack modern plumbing facilities, central heat, or safe structural framework. In prisons without decent toilets, prisoners are sometimes forced to defecate into a shared bucket. The ultramodern prisons, sometimes called supermaximum (or super-max) prisons have a different set of problems. First developed in the United States, they were designed to keep troublesome inmates isolated from one another. Each inmate is locked away in his own antiseptic cell, unable to see his fellow prisoners or even a glimpse of the outside world. Prisoners in these facilities spend twenty-three hours a day in their cells, with limited access to recreation or education. Rather than suffer degradation, they are left to molder slowly in their own solitude.

CONCLUSION

The United Nations says that even prisoners deserve to have their human rights protected. Our sense of humanity should tell us the same thing. But the evidence is that this is not yet happening. Human rights remains the province of the free; the incarcerated live in world where human rights are few and where torture and suffering are more common than justice.

Carl Skutsch

See also: Crime; Domestic Violence; Police and Law Enforcement; Political Prisoners; Torture; Victims' Rights.

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Privacy

Of all human rights, privacy is among the most difficult to define. Definitions of privacy vary widely according to context and environment. Privacy rights are frequently seen as a way of drawing the line at how far society and government can intrude into the affairs of an individual. How exactly to define this line is difficult.

In the 1890s, future U.S. Supreme Court justice Louis Brandeis articulated a concept of privacy that it was the individual's "right to be left alone." Brandeis argued that privacy was the most cherished of freedoms in a democracy, and he was concerned that it should be reflected in the Constitution.

Years later, in his authoritative work *Privacy and Freedom* (1967), Alan F. Westin defined privacy as the desire of people to choose freely under what circumstances and to what extent they will expose themselves, their attitudes, and their behavior to others. More recently, in 1994, the Preamble to the Australian Privacy Charter stated: "A free and democratic society requires respect for the autonomy of individuals, and limits on the power of both state and private organizations to intrude on that autonomy. . . . Privacy is a key value which underpins human dignity and other key values such as freedom of association and freedom of speech. . . . Privacy is a basic human right and the reasonable expectation of every person."

The lack of a single definition should not imply that the issue lacks importance. As one writer observed: "In one sense, all human rights are aspects of the right to privacy." Privacy rights can be divided into four key areas: information privacy, bodily privacy, communicative privacy, and territorial privacy. Information privacy involves the establishment of rules governing the collection and handling of personal data such as credit information and medical records. Bodily privacy is concerned with protection of one's physical person—one's body—against invasive procedures such as drug testing and cavity searches. Communications privacy covers the security and privacy of mail, telephones, e-mail, and other forms of communication. Territorial privacy concerns the setting of limits on intrusion into the home, workplace, and other geographic or physical locations.

The concept of privacy can be traced as far back as 1361, when the Justices of the Peace Act in England provided for the arrest of "peeping toms" and eavesdroppers—those who invade or intrude upon other people's space. In the centuries that followed, various countries developed specific protections for privacy. In the United States privacy protection is reflected in numerous Supreme Court decisions. The modern privacy benchmark at an international level can be found in the 1948 United Nations Universal Declaration of Human Rights (UDHR), which protected territorial and communications privacy. Article 12 states: "No one should be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attack of his honor or reputation." Everyone, the Declaration proclaims, has the right to be protected by law against such interferences or attacks.

Numerous international human rights covenants give specific recognition to pri-

vacy as a right. The International Covenant on Civil and Political Rights reinforced the UDHR, while the European Declaration of Human Rights expanded the concept of "private life."

Concern with the right of privacy increased in the 1960s and 1970s with the advent of information technology (IT). Newly created computer systems and databases enabled governments and private organizations to accumulate vast amounts of information on people without their knowledge or permission. The surveillance potential of powerful IT systems prompted demands for specific rules governing the collection and handling of personal information.

The genesis of modern legislation in this area can be traced to national privacy and data-protection laws passed by Sweden (1973), the United States (1974), West Germany (1977), and France (1978). Two crucial international instruments evolved from these laws. Both the Council of Europe's Convention on the Protection of Individuals with Regard to the Automatic Processing of Personal Data and the Organization for Economic Cooperation and Development's Guidelines Governing the Protection of Privacy and Transborder Data Flows of Personal Data articulate specific rules covering the handling of electronic data.

The expression of data protection in various declarations and laws varies only by degree. All require that personal information be obtained fairly and lawfully; used only for the original specified purpose; adequate, relevant, and not excessive to purpose; accurate and up-to-date, and be destroyed after its purpose is completed.

While the protection of privacy is enforced primarily at a national level, two recent initiatives have had the effect of laying the foundations for a global privacy standard. In 1994, the European Parliament passed two Europe-wide directives that will provide citizens with a wider range of protections over abuses of their data. The Data Protection Directive sets a benchmark for national laws throughout the European Union (EU). Each EU state must pass complementary legislation. The Telecommunications Directive establishes specific protections covering telephones, digital television, mobile networks, and other telecommunications systems.

Several principles of data protection are strengthened under the Directives. These principles include the right to know where the data originated, the right to have inaccurate data rectified, a right of recourse in the event of unlawful processing, and the right to withhold permission to use data in some circumstances. As an example of this last principle, individuals will have the right to opt out free of charge from being sent direct marketing material, without having to provide any specific reason.

The Data Protection Directive contains strengthened protections over the use of sensitive personal data in such categories as health and finances. In the future, the commercial and government use of such information will require the individual's "explicit and unambiguous" consent. The Directive also imposes an obligation on member states to ensure that the personal information relating to European citizens is covered by law when it is exported to and processed in countries outside Europe. This requirement has resulted in growing pressure outside Europe for the passage of privacy laws. Those countries that refuse to adopt meaningful privacy laws may find themselves unable to conduct certain types of information exchanges with Europe.

The Telecommunications Directive imposes widescale obligations on carriers and

service providers to ensure the privacy of users' communications. The new rules will cover areas that until now have fallen between the cracks of data-protection laws. Access to billing data will be severely restricted, as will marketing activity. Caller-identification technology must incorporate an option for the blocking of number transmission.

Some countries, such as the United States, have avoided general data-protection rules in favor of specific laws governing each privacy issue; for example, laws have been passed preventing the dissemination of video rental records and financial records.

With the recent development of commercially available encryption-based technologies, privacy protection has also moved into the hands of individual users. Any user of the Internet can employ a range of programs and systems that will ensure varying degrees of privacy and security of communications.

It is clear that the power, capacity, and speed of information technology are accelerating rapidly. The extent of privacy invasion—or certainly the potential to invade privacy—is increasing proportionately. Despite efforts to pass laws protecting privacy, government agencies and private businesses still retain huge databases charting the behavior and habits of much of the population. This greatly concerns privacy advocates.

Privacy issues are often of more concern in rich, technologically advanced countries that have the infrastructure to support camera, telephone, and Internet surveillance. But it is often the citizens of Third World nations that face the greatest invasions of privacy. Basic techniques, such as opening mail or paying neighbors to act as spies, are less sophisticated than electronic invasions of privacy but can be equally invasive. Governments of developing nations can also rely on industrialized countries to supply them with technologies of surveillance, such as digital wiretapping equipment, deciphering equipment, scanners, bugs, tracking equipment, and computer intercept systems. The transfer of surveillance technology from richer to poorer nations is now a lucrative sideline for the arms industry. In its 1995 report "Big Brother Incorporated," the watchdog organization Privacy International highlighted the extent of this trade. This view was supported by a 1997 report, "Assessing the Technologies of Political Control," commissioned by the European Parliament's Civil Liberties Committee and undertaken by the European Commission's Science and Technology Options Assessment office.

The international trade in surveillance technology—sometimes known as the repression trade—involves the manufacture and export of technologies of political control. These technologies involve sophisticated, computer-based technology that vastly increases the power of government officials. When the government knows everything its people are doing, it is much easier to control them and deny them their human rights.

The Privacy International report listed the companies that export such technology to developing countries with a poor human rights record. The attempt of the reports by the European Parliament and Privacy International to raise awareness of the dangers to human rights involved in the transfer of such technology has been augmented by recent studies by Amnesty International, Human Rights Watch, and Oxfam. All these reports make it clear that the threat to privacy in the Third World is also a threat to human rights.

The surveillance trade is almost indistinguishable from the arms trade. More than 70 percent of companies that manufacture and export surveillance technology also export arms, chemical weapons, or military hardware. Surveillance is a crucial element for the maintenance of any nondemocratic infrastructure and is an important activity in the pursuit of intelligence and political control. Many countries in transition to democracy also rely heavily on surveillance to satisfy the demands of the police and military.

Much of this technology is used to track the activities of dissidents, human rights activists, journalists, student leaders, minorities, trade union leaders, and political opponents. Large-scale identification systems are also useful for monitoring larger sectors of the population. As Privacy International observed: "In the absence of meaningful legal or constitutional protections, such technology is inimical to democratic reform." Such matters demonstrate that, as technology grows ever more sophisticated, the issue, scope, and definition of privacy will keep evolving in the twenty-first century.

Simon Davies

See also: Right to Life; Women's Rights.

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Property Rights

The right to property is not only a human right, it is also one of foundation stones of the tradition of all human rights. John Locke (1632–1704), the British philosopher, argued that all governments exist solely because of the right to property. As Locke put it, "The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property." If a government protected property rights, it was a good government; if it did not, it should be overthrown. (Locke's ideas were used by Thomas Jefferson in drafting the United States Declaration of Independence.)

The United Nations brought Lockean ideas into the twentieth century with the Universal Declaration of Human Rights (1948). Article 17 of that document declares: "Everyone has the right to own property alone as well as in association with others," and "no one shall be arbitrarily deprived of his property."

Property, according to Locke and others, is the result of labor; if you work on a farm or work as an artisan, what you produce is yours because you made it. If you are paid a salary, it is your work that gives you a right to that salary, or property. The basis of property rights, it can be argued, stems from the most basic of all human rights: the right to life. If a person spends a year earning enough money to buy a house, and then that house is taken away from him, one could argue that a year of his or her life has been stolen.

Department store being looted in Capetown, South Africa, April 1993.

The question of property rights becomes philosophically more complex when large numbers of workers are involved. When a factory worker labors in a factory, it is the factory owner who usually gets the largest share of the factory's profits, even though the factory would have produced nothing without its workers. Property rights defenders argue that owners deserve the profits because without their property—the factory—no profits could have been made. This view has not been universally embraced. Pierre-Joseph Proudhon (1809–1865), the French founder of anarchism, declared, "Property is theft!" ("*La propriété c'est le vol!*"), because the labor of the factory worker was stolen and converted into profits by the factory owner. The socialist and communist followers of Karl Marx felt similarly and declared that all private property should be abolished. It was the ideas of Marx that fueled the Russian Revolution of 1917 and the Chinese communist victory in 1949. Both these states outlawed most forms of private property. However, not only did property rights disappear but so did other human rights, such as the right to free speech, freedom of assembly, and freedom of religion. For those theorists who argue that full human rights are based on the existence of property rights, the oppression that existed in the Soviet Union goes some way toward making their case. Most (but not all) modern political theorists agree that Marx and Proudhon misunderstood the importance of the right to private property.

Property rights have also been intertwined with the advance of human rights for women. Throughout history, most human societies have denied women full equality, and one of the rights most often denied them has been the right to property. The right to own property and control the wages they earned was one of the main issues behind the feminist movement in the nineteenth century. At that time, a woman might inherit property, but whatever she technically owned would be under the legal control of a male guardian: her father, if she was unmarried; her husband, if she was married. Without the ability to control their property, women could not manage their financial affairs without the help of men. Legally, women were little more than property themselves, dependent on the opinions and actions of the men around them. It is for this reason that early women's rights advocates made the acquisition of property rights one of their first goals.

Not all societies have shared the Western tradition of private property and property rights—many societies tended to reduce the power of private property in favor of the state or ruler—but it is the Western idea of property as a human right that seems to have been most effective at supporting all human rights. When people have a sacred right to the products of their own labor, they are free from some of the more egregious attacks on human rights to which governments are prone. This is not to say that property rights do not have some negative human rights implications—the vast disparity between rich and poor in some countries can be a human rights problem in and of itself—but most people are better off defending the right to property if they wish to keep all other treasured human rights.

Carl Skutsch

See also: Human Rights, Ethics, and Morality; Poverty.

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Prostitution (Forced)

Forced prostitution is a practice in which girls and boys, usually between the ages of ten and twenty, are tricked, kidnapped, or otherwise lured from their homes by "brokers" representing a brothel or prostitution network and brought to urban areas to serve as prostitutes, receiving little or no wages for their work.

A recent development is the growth of forced prostitution in Eastern Europe. With the economies of Eastern Europe suffering from the economic repercussions of communism's fall, many women are desperate for jobs. Unscrupulous pimps, who are usually part of organized crime rings, trick girls and young women from the countryside—those from Ukraine are particularly targeted—into going to neighboring countries to get good jobs. They are told they will be prostitutes only after they cross the border and have their passports confiscated.

Eastern Europe, however, is not the area of most serious concern. While forced prostitution takes place in countries throughout the world, it is most widely practiced in Asia, especially in Thailand.

PROSTITUTION IN THAILAND

Japan and Southeast Asia have a flourishing sex tourism industry, which is fed by prostitutes who are often imported from Thailand. While forced prostitutes do not often service foreign tourists, who make up much of Asia's sex tourism industry (prostitutes serving this "high end" of the market tend to be voluntary), sex tourism has created a business climate that is conducive to sexual slavery. The economic boom that Thailand has experienced in recent years has created opportunities for many Thais to earn higher wages; this, combined with a climate in which sex tourism is the norm, creates a higher demand for cheap sex. Enslaved women and girls satisfy this demand in brothels frequented primarily by working-class Thai men.

In Thailand itself, this demand for prostitutes is supplied by girls, and some boys, from the economically depressed northern mountainous region of Thailand, and from the neighboring countries of Myanmar (Burma) and Laos. Burmese and Laotian prostitutes are more likely to have been directly enslaved. Because the borders between Myanmar, Laos, and Thailand are chaotic and unpoliced, female emigrants from Myanmar and Laos who are deported are often dropped in the jungle at the border. Pimps and other recruiters follow the trucks transporting the deportees and then offer the women work in Thailand. Without other alternatives, these women often agree to go with the pimps, only to find that the "work" is prostitution. Once in the pimps' control, the women are forced to remain in the brothels, suffering beatings and rapes if they try to leave. Other Burmese and Laotian women, traveling into Thailand unaccompanied, are kidnapped at bus and train stations by pimps who drug them, bring them back to a brothel, and force them to work as prostitutes.

Thai prostitutes from the northern mountains are less likely to have been directly kidnapped or coerced into prostitution.

While brokers do sometimes trick parents by offering well-paid work as dishwashers or servants in the city, more often they are open about the type of work they are offering. Several factors combine to create a situation in northern Thailand in which selling a daughter, even into prostitution, while not preferred, is an acceptable choice. In this economically depressed farming region, the sale of a daughter has long been an accepted way of alleviating the effects of a poor harvest or other financial disasters. As the demand for prostitutes in southern Thailand grows, daughters are increasingly sold to brokers for brothels. Because so many northern Thai girls are sold by their parents to become prostitutes in the south, young northern girls are aware of prostitution and realize that they themselves could become prostitutes one day. Prostitution's ubiquity has served, however, to soften its image and to remove the stigma once attached to it. In a survey taken of northern Thai girls, most reported that they believed prostitution to be "wearing Western clothes in a glamorous restaurant."

Once the girls are sold into prostitution, pimps use a system of debt bondage to keep enslaved. After these girls are sold, usually for about 50,000 baht ($2,000), they are taken south by brokers and sold to brothels for about 100,000 baht. In addition to these sums, the girls must pay rent of approximately 30,000 baht per month for their rooms in the brothel, as well as fees for food, medicine, and fines if a customer is displeased. The total of all of these sums is considered to be a debt which the girls must pay before they can send money home or leave the brothel. Because this "debt" is so large in comparison to the fees the girls earn as prostitutes, most are never able to pay the debt, or even meet monthly food and rent payments. The pimps running the brothels also frequently falsify accounts so that even those prostitutes who have paid off their debt are kept at the brothel in debt bondage.

AIDS AND PROSTITUTION

The AIDS epidemic in Thailand, as well as the belief in many Asian countries that sex with a virgin increases virility, has created a market for younger prostitutes, sometimes as young as age ten. For men concerned about HIV infection and sex tourists attempting to restore their virility, then, virgins carry a special value. Because many newly recruited prostitutes are ten to twelve years old, many men are willing to pay more to have sex with these girls. This situation provides pimps with a way both to break down the resistance of new arrivals to their new life as prostitutes and to reap a larger profit.

New girls are beaten, raped, and then forced to service a chain of clients from night until morning. This continues until the girl stops objecting or attempting to escape. Pimps benefit because many clients are willing to pay large sums for the privilege of performing the initial rape, while the girl, because she is so young, can be falsely presented as a virgin to subsequent clients, who will also pay higher fees to have sex with a girl they think is "clean."

Very few of these young prostitutes are ever able to pay their debt and benefit from their own sexual slavery. While pimps occasionally declare some prostitutes' debts paid and allow them to send money home as a way of calming rebellious behavior, these girls, whose families benefit financially from their daughters' prostitution, are unable to return home because their parents prefer that they remain prostitutes and continue to send money home.

Without this option, and with no other way of earning money, these women have nowhere else to go, so they often remain at the brothels. Most eventually become infected with HIV or other sexually transmitted diseases and, once this happens, are thrown out to manage for themselves on the streets. The plentiful and cheap supply of new girls provides little motivation to provide any kind of medical care to prostitutes when they fall ill or become too old to work.

GOVERNMENT INVOLVEMENT

This system of prostitution is ubiquitous in Thai society, partly because of tacit government support. A full set of laws against forced prostitution is unenforced, while police and other local officials receive regular bribes from brothels and are regular patrons themselves. In 1992, Thai Prime Minister Chuan Leekpai commented that if "the problem [of forced prostitution] cannot be solved, I will not order the authorities to tackle it." Also, because brothels are not individually owned but are part of the business interests of prominent members of Thai communities, prosecution of those profiting from forced prostitution becomes difficult. These "billionaire slaveholders" suffer no stigma on account of their brothel ownership.

Thai women, including those in southern Thailand, are also brought into other countries to work as prostitutes. Often lured by promises of well-paid work as cooks or domestics, or else by glamorous stories of life as a foreign prostitute, these women and girls, like northern Thai, Burmese, and Laotian women in their own country, are brutalized and enslaved by debt bondage (the girls are held responsible for airfare, false passport fees, and other costs) once they arrive. In Switzerland, Thai girls are brought into the country on "artist" visas and so must work as exotic dancers in addition to being prostitutes, while in Germany, Thai girls work as waitresses and are sold to men by bartenders or bouncers. In other countries, such as Japan and the United States, Thai girls are simply placed in brothels.

Despite frequent stories in the Thai and Western press exposing child prostitution and sexual slavery, the Thai government has done little to solve the problem. In 1992, the government set up an anti-prostitution task force consisting of six men. In 1994, this force arrested 64 brothel owners and 472 prostitutes and rescued 35 child sex slaves. With an estimated 1 million sex workers in Thailand, of whom an estimated 35,000 are child sex slaves, their efforts affected only a small percentage of the total.

Campaigns by non-governmental organizations, such as the End Child Prostitution in Asian Tourism group, have brought some changes, such as the 1997 revision of the laws on prostitution. The new laws impose a maximum 60,000 baht fine and three-year prison sentence for anyone having sex with prostitutes under age eighteen, and a maximum 400,000 baht fine and twenty-year prison sentence for anyone having sex with a prostitute under age fifteen. Human Rights Watch also did an investigation of child sex slavery in Thailand in 1993 and published a report outlining seventeen steps for the government to take in ending forced prostitution. A Thai organization, the Center for the Protection of Children's Rights, rescues children from brothels and provides medical and psychological care, while the Foundation for Women and the Global Alliance Against Traffic in Women, as well as the Task Force to End Child Sexploitation, all raise aware-

ness in Europe and North America and urge the Thai government to enforce laws against prostitution.

Despite these efforts, forced prostitution remains a serious problem in Thailand and other Southeast Asian countries and is a growing problem in parts of Eastern Europe.

Autumn Smith and James R. Lewis

See also: Child Pornography; Women's Rights.

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Public Relations, Propaganda and Human Rights

Propaganda is the strategic, tactical, and hidden manipulation of public opinion, information, and policy to serve the objectives of vested political and economic interests, typically conducted by public relations (PR) professionals with backgrounds and expertise in communications, politics, and marketing. Although the goal of public relations is often benign—to help a company or individual improve its image—the goal of propaganda is not. Propaganda is destructive to democracy because it attempts to manipulate society invisibly for the benefit of an elite, often to hide or cover up crimes and misdeeds by the governments or businesses funding the propaganda campaign. Propaganda can subvert human rights by hiding the truth about human rights crimes and abuses.

The modern PR industry has its roots in World War I and the campaigns by the participating governments to gain public support for the war. In the United States, Edward L. Bernays, Ivy Lee, and others who are considered the founders of PR worked on the war propaganda campaign and afterward counseled tobacco companies and other emerging multinational businesses and political leaders.

Australian academic Alex Carey wrote: "The twentieth century has been characterized by three developments of great political importance: the growth of democracy, the growth of corporate power, and the growth of corporate propaganda as a means of protecting corporate power against democracy." Carey noted that today propaganda is in the form of advertising, especially public relations. Public relations is closely related to advertising, and most big PR firms are owned by advertising companies. But while advertising is usually obvious, PR is purposely invisible as it attempts to put its carefully honed messages in the mouths of people likely to be trusted and believed—such as journalists and experts—by the audience being propagandized.

Today the propaganda industry is immense and global. While exact figures are impossible to collect because of its hidden nature, governments and corporations spend an estimated tens of billions of dollars annually on PR campaigns and activities, both for in-house practitioners and for the hiring of outside consultants and firms. In 1999, the six largest international PR firms were, in descending order, Burson-Marsteller, Hill and Knowlton, Porter Novelli International, Shandwick International, Fleishman-Hillard, and Edelman. Their combined net income exceeded $1 billion. All of them but Shandwick, a British company, are headquartered in the United States; however, their presence is worldwide.

Burson-Marsteller, for instance, calls itself "a global perception management communications consulting company" whose purpose is "to manage perceptions which motivate behaviors that create business results." Burson-Marsteller employs 2,000 professionals in seventy-five offices to "manage issues by influencing—in the right combination—public attitudes, public perceptions, public behavior and public poli-

cies." Like most of its competitors, "B-M," as it is called, refuses to divulge a complete list of its hundreds of corporate and government clients, but they have included such powerful interests as Philip Morris, McDonald's, Monsanto, Coca-Cola, Eli Lilly, Ford Motor Company, General Electric, the UNITA guerrillas in Angola, the World Bank, and the governments of El Salvador, Saudi Arabia, Indonesia, South Korea, and Mexico.

While most people associate propaganda with brutal totalitarian regimes, Alex Carey points out that "propaganda plays an important role . . . in technologically advanced democratic societies where the maintenance of the existing power and privileges are vulnerable to popular opinion." Totalitarian governments that might utilize terrorism, torture, and murder to repress citizens at home often also employ PR firms to influence and manage the attitudes of citizens and officials in other countries in an attempt to hide or rationalize their brutal ways and human rights violations.

During the military dictatorship that "disappeared" and murdered thousands of Argentines, the country hired Burson-Marsteller to improve its image internationally. The government of Colombia, deeply enmeshed with cocaine cartels, hired the Sawyer/Miller firm to persuade the American people and U.S. Congress it was a struggling democracy fighting for freedom and justice. The royal family of Kuwait spent over $10 million hiring the Hill and Knowlton firm in 1990 to set up a front group called Citizens for a Free Kuwait, which even staged phony congressional testimony about a non-existent incident of baby-killing to lobby for a U.S. war against Iraq.

A recent tactic of PR firms are so-called astroturf organizations. These are groups that appear to be genuine grassroots democratic movements but are actually created, subsidized, and run by political or economic interests. For instance, on behalf of Philip Morris, and with tens of millions of dollars from the tobacco giant, the Burson-Marsteller firm established the National Smokers Alliance, a 3-million-member lobby for "smokers rights." With funding from the American Legion organization, Burson-Marsteller runs the Citizens Flag Alliance, which promotes amending the U.S. Constitution to outlaw flag burning.

As the news media become more and more concentrated among a handful of giant media corporations, independent and investigative journalism is in steep decline. On any given day, much of the news and information seen, heard, or read is actually PR, placed or spun by public relations campaigns. Sometimes it is a verbatim reprint of a news release or the airing of an audio or video news release that radio and TV news directors broadcast as if it were their own reporting, but is actually fake news provided by a PR firm on behalf of a client. Journalists usually fail to inform citizens about PR campaigns because so much of the news is dependent upon PR and because the same powerful advertisers that bankroll the media through advertising also use PR firms to manipulate news and information. The use of PR is rising, and more and more news and information in the twenty-first century will likely be spun and manipulated by hidden persuaders, making propaganda a growing threat to democracy.

John C. Stauber

See also: Freedom of the Press.

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Racism

The United Nations Universal Declaration of Human Rights (1948), lays out its opposition to racism in its first two articles:

Article 1. "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood."

Article 2. "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Despite these words, racism exists and remains one of the main barriers dividing people and preventing everyone from enjoying the same human rights. Racism is the theory that people can be put into categories based on their physical appearance—skin color, hair, texture, shape of the face—and that those physical categories also serve to define those people's intelligence, attitudes, and behavioral traits. The end result of this process of categorization is that races are ranked in a ladder of worth, with people belonging to some races declaring themselves to be superior to people belonging to other races.

BACKGROUND

There is nothing natural or scientific about the division of human beings into racial categories. The "traditional" division of the human species into three races ("Caucasian," "Mongoloid," "Negro") is inherently arbitrary. By tracking the physiognomy of peoples, a vast array of types and looks can be charted. Not all Europeans look the same, however, nor do Asians, nor do Africans. The Chinese look similar to the Burmese, who look similar to the Nepalese, who look similar to the Indians, who look similar to the Iranians, who look similar to the Greeks, who look similar to the Italians, who look similar to the French. So why do the Chinese and French not belong to the same race? The reason is that race is a cultural construct. People invented the idea, and many believe it to be real. But although racism may be a figment of people's imaginations, it has very real consequences.

In the ancient world, racism as it is understood today did not exist. People had prejudices, but they were based on culture, not skin color. The Romans looked down on the Gauls because they felt they had a superior culture, not race. (When the Romans took slaves, for example, they were of all different skin tones and physical types.) Modern racism was born with the rise of African slavery in the Americas and the simultaneous spread of European empires. Europeans justified their enslavement of Africans by arguing that the Africans were inherently inferior, that they naturally were racially beneath the Europeans. When Europeans went on to conquer much of the world during the seventeenth, eighteenth, and nineteenth centuries, they justified their conquests using the same racial ideas: they believed they were entitled to conquer non-Europeans because they considered themselves racially superior.

Modern racial categories were developed by Johann Blumenbach, a German naturalist, who, in the 1700s, put forward a the-

ory that divided all human beings into five races: Mongoloid, Ethiopian, Caucasian, American, and Malayan. Blumenbach had no scientific basis for his categories; they were based entirely upon appearance. His ideas were expanded upon by the nineteenth-century French writer Joseph de Gobineau, who argued that the white race was superior to all other races (something Blumenbach had never said). The ideas of Gobineau and his successors were used to justify much of the racism that existed in the late nineteenth and early twentieth centuries, including, most infamously, the racism of Adolf Hitler and the Nazi Party.

With the decline of European empires and the rise of civil rights movements around the world, racism—at least officially sanctioned racism—has been on the retreat. The American civil rights movement of the 1950s and 1960s led to the dismantling of the racist structures that had existed in the United States. Apartheid, South Africa's system of racial separation, was abolished in the early 1990s.

RACISM TODAY

Despite the pronouncements of the United Nations and the victories of civil rights movements, racism still persists around the world, limiting the human rights of its victims.

Racism means more than simply not liking someone because of his perceived race. Racism leads to racial discrimination, which directly affects the lives of its victims. Racial discrimination results in people not being hired, not being allowed to live where they please, not being treated with respect in public or in their place of employment, and having to send their children to substandard schools. Racial discrimination can be subtle—a white real-estate agent might "forget" to tell a black couple about an available house in a white neighborhood—or it can be overt and ugly—white police officers stop cars driven by blacks because they assume that blacks commit most crimes—but it always detracts from the human rights of those targeted.

In the United States, racism takes many forms. In one North Carolina slaughterhouse, for example, jobs are divided by race. Although nothing is said officially, whites dominate supervisory positions, blacks hold many of the slaughtering jobs, and Hispanic immigrants have the low-paying work of cutting up the carcasses.

Racism can have tragic consequences. In 1998, a black man, James Byrd, Jr., was dragged down a Texas highway and killed by a truck driven by a white man looking for someone black to hurt. Racist hate groups, such as the Ku Klux Klan, have also targeted blacks, harassing, assaulting, and sometimes killing them.

Prison statistics suggest racism, too: African Americans make up only 13 percent of the population, but more than 45 percent of prisoners are black. African Americans are far more likely than whites to be put on death row.

In Brazil, Eduardo Brito, the secretary of justice for the city of São Paulo, was pulled over by police, who assumed that a black man in an expensive car must have stolen it. Brazil, a country with as complex a racial mix as the United States, has often claimed to have avoided America's racial problems. But although Brazil lacks the sharply defined color barriers of the United States, it is quite clear that lighter-skinned people have better chances of success than those with darker complexions. Television, movies, and politics are all dominated by those with lighter complexions. Brazilians

Two member of the Ku Klux Klan an American, racist hate group dressed in hoods and robes.

with African roots, who make up half of the population, do not have the same opportunities that whites have.

Not all racism in the world is white on black or black on white. Anti-Semitism, or hostility toward Jews, persists and is widespread (anti-Semitic books have even been published in Japan, a country with no native Jewish population). The Internet is filled with web sites claiming that Jews control the world's money and that they are trying to take over the world, the same ideas that Hitler used to maintain his control in Germany. The Roma are another people persecuted by Hitler who still face racial discrimination today. The Roma have suffered from racist prejudice in the Czech Republic, Hungary, Romania, and many other European countries. Roma have been murdered and their houses burned by racists who see them as outsiders.

In Japan, the Ainu and Burakumin, along with Korean immigrants, face constant discrimination; some Japanese corporations are known to have bought lists of Burakumin so as to avoid hiring them (in one of the oddities of racism, Burakumin look no different from other Japanese). Koreans and Ainu face similar discrimination in employment and social situations.

In France, North African immigrants also face discrimination based on race. There is even a political party, the National Front, whose goal is to expel North Africans from France. In Germany, immigrant Turks can be born in the country, speak perfect Ger-

man, and yet never be treated as fully German. Turkish homes and businesses in Germany have been firebombed by racist groups, many of which honor Adolf Hitler as a hero. In Indonesia, ethnic Chinese are viewed with suspicion by many ethnic Indonesians and have been subjected to racist attacks. Most of these Indonesian Chinese have lived in the country for many generations.

One of the key organizations in the fight against racism is the United Nations Educational, Scientific, and Cultural Organization (UNESCO). UNESCO has undertaken massive efforts to eliminate racism through education and international treaties. It is joined by many other private non-governmental organizations. Despite their efforts, racism continues to flourish. Until it is expunged, people will not all share the same human right to be treated with equality and dignity.

Carl Skutsch

See also: Apartheid; Genocide; Martin Luther King, Jr.; Universal Declaration of Human Rights; War; War Crimes.

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Refugees

A refugee, narrowly defined in international law, is a person with a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, who is outside the country of his or her nationality and is unable or unwilling to return. The term is often popularly understood in far broader terms, however, encompassing persons fleeing war, civil strife, famine, and environmental disasters.

REFUGEES ACCORDING TO INTERNATIONAL LAW

The drafters of the 1951 United Nations (UN) Convention Relating to the Status of Refugees, the primary instrument of international law concerning refugees, not only limited the modern definition of refugee to persons fearing a relatively narrow range of human rights abuses, but also restricted its scope to migrants in Europe who fled as a result of events occurring before 1951. In 1967, a protocol dropped the Convention's geographic and temporal limitations. As of 1999, the Convention or protocol had been signed by 134 countries.

Although the protocol universalized the applicability of the Convention, it did not expand the refugee definition. In the developing world, the Convention's and protocol's definitions were often seen as inadequately encompassing the many reasons people fled their homelands to seek protection elsewhere. A wider definition was adopted by the Organization of African Unity (OAU) in 1969, extending its definition of a refugee to include persons compelled to leave their place of habitual residence because of external aggression, occupation, foreign domination, or events seriously disturbing public order. Similarly, representatives of Central American states in 1984 issued the Cartagena Declaration, which includes as refugees persons fleeing generalized violence, international conflicts, and serious disturbances of public peace.

Although the office of the United Nations High Commissioner for Refugees (UNHCR) was created in 1950 to assist and protect refugees remaining in Europe at the close of World War II, through the years, the High Commissioner has also helped groups that did not necessarily fall strictly within the refugee definition in the Convention and protocol. For example, the UNHCR assists about 265,000 displaced persons in Cyprus who are not technically refugees because they are still within their nominal home country. In Africa, the UNHCR offers assistance and protection to refugees meeting the OAU definition.

Falling outside the mandate of the UNHCR, and overlooked by Cartagena and the OAU as well, are internally displaced persons, people who flee their home district for the same reasons as refugees, but who do not cross an international border. By not actually leaving their countries of origin, internally displaced persons are frequently more vulnerable than the refugees outside their homelands who are the beneficiaries of international protection and assistance. In 1999, the U.S. Committee for Refugees estimated that worldwide there are 17 million internally displaced persons, along with 13.6 million refugees and asylum seekers.

Refugee camp of those displaced during the 1989 U.S. invasion of Panama, September 1990.

HELPING REFUGEES

In all cases, the UNHCR promotes three durable, long-range solutions for refugees. Its first preference is voluntary repatriation, a solution that assumes that the original causes of refugee flight have been ameliorated sufficiently to permit the safe return of the refugees. If this is not possible, the UNHCR attempts to integrate the refugees locally, in what are known as countries of first asylum, states that usually border the refugees' country of origin, and to which they flee in the first instance. The UNHCR tries to support local host populations to encourage them to be receptive to the refugees in their midst, often linking refugees with kinship groups or other populations with whom they have linguistic or other cultural ties.

The UNHCR's third durable solution is third-country resettlement. Considered to be the most expensive solution and one that can help the fewest refugees, it nevertheless is promoted for especially vulnerable individuals and groups who are not able or allowed to remain safely in countries of first asylum and for whom countries outside the region might have a special humanitarian concern. For example, in the mid-1970s, more than a million Southeast Asian refugees were settled outside the region, mostly in the United States, following the defeat of U.S.-backed regimes in Vietnam, Laos, and Cambodia.

Most of the world's refugees still await durable solutions for their plight. Most have been granted, at best, provisional or temporary asylum in neighboring countries, and are not able to regularize their status

or integrate into the host country. Instead, millions live in squalid refugee camps, where rights to move and work are often highly restricted, and where educational and recreational opportunities are often non-existent or severely lacking. At times, refugees are subject to attack, either by local security forces or by cross-border incursions from their country of origin. At times, host governments forcibly return them to places of persecution.

ASYLUM AND NON-*REFOULEMENT*

The return of people by force to places where they were persecuted violates the most fundamental principle in international refugee law: the concept of non-*refoulement*, or the prohibition of the forced return of a refugee. This principle is enshrined in Article 33 of the Convention Relating to the Status of Refugees, which says that no state "shall expel or return (*refouler*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group, or political opinion."

Long before any international system was created to assist refugees or to prescribe their protection from forced return in international law, refugees fled persecution and sought protection outside the reach of the power they were fleeing. Refugees, broadly understood, can be found in the earliest literature, as wanderers in exile, seeking asylum.

The theme of exile recurs throughout religious writings. In the Bible, for example, human history begins with the expulsion of Adam and Eve from the Garden of Eden. The Israelites escaped from slavery in Egypt

Refugees fleeing into Bangladesh from Myanmar, 1992.

and wandered through the desert in search of a new home. The Christian birth narrative in the Gospel According to Matthew (2:13–18) says that an angel came to Joseph telling him to take the child and his mother and flee to Egypt in order to save the baby from Herod, who subsequently killed all the male children in Bethlehem who were two years old or younger. The theme of escape from persecution is also central to Islam. One of Islam's central events, the Hegira—from the word for exile, "Hijrah"—marks the flight of the prophet Mohammed from persecution in Mecca to Medina in the year 622. The theme of exile is also found in Eastern religious traditions. In the Hindu epic poem the Ramayana, on the eve of his ascendancy to the throne, the hero, the god Rama, is banished to the forest to live in exile for fourteen years.

Most of these religious traditions also promote the idea of asylum, that is, of providing refuge to persons seeking protection outside their homelands. The ancient Israelites were admonished, "Do not mistreat or oppress a foreigner; remember that you were foreigners in Egypt" (Exodus 22:21). In biblical times, penalties for manslaughter were severe and exacting, so a person who killed another by mistake would still face "eye for an eye" vengeance. However, if a person accused of manslaughter could escape to certain designated "cities of refuge," local residents would protect those accused of involuntary killing from retribution. In the New Testament, Jesus identifies himself as the stranger—"I was a stranger, and ye took me in"—so that his followers would consider that feeding and clothing any stranger was akin to comforting Christ himself (Matt. 25:35–45). The Christian church developed a practice of offering asylum to persons who sought its sanctuary. The principle of church asylum was affirmed by the Council of Sardis in 347 and confirmed by the law codes of both Theodosius in the fourth century and Justinian in the sixth century. In 1140, Pope Gratian codified ecclesiastical law on asylum, excluding perpetrators of certain crimes from the church's protection. Until 1983, the Code of Canon Law of the Roman Catholic Church included the canon (number 1179) that "a church enjoys the right of asylum, so that guilty persons who take refuge in it must not be taken from it, except in the case of necessity, without the consent of the ordinary, or at least of the rector of the church."

The principle of asylum has a valued place in Islam as well. According to the Koran (14:35–37), the most sacred site in Islam, the Kaaba and the Haram that surrounds it, was established by Abraham in Mecca with the words "Lord, make this place a land of safe asylum." Traditionally, anyone who took refuge in the Haram was protected from harm. In fact, much of Islam's high regard for the principle of asylum derives from pre-Islamic Arabic traditions of hospitality that required the desert Bedouin tribes to shelter strangers in distress. According to custom, Bedouins were obligated to provide asylum (*igra*) for three days to the unarmed stranger. Under Islam, this protection was even extended to idolaters seeking refuge in time of war. The Koran (9:6) says, "If an idolater seeks asylum with you, give him protection so that he may hear the Word of Allah, and then convey him to safety."

Although the logic of refugee status dictates some form of asylum, a place where the refugee can exist outside the home country where he or she has lost the protection of his or her government, in fact, international law is decidedly weak on this right to asylum. Although the non-binding

Universal Declaration of Human Rights states, "Everyone has the right to seek and to enjoy in other countries asylum from persecution," the meaning of "to enjoy" is rather vague. Governments grant asylum; individuals "enjoy" it. The refugee's right to enjoy asylum is therefore limited by the willingness of the government to proffer it. So, although states are prohibited under international law from returning refugees to persecution, they are not required to take them in. A UN conference convened in 1977 failed to draft a Convention on Territorial Asylum that would require states to provide asylum to refugees. Instead, it came up with a declaration that states "shall endeavor" to grant asylum on their territory to eligible persons.

HISTORY OF ASYLUM

The idea of asylum can be found in the earliest Anglo-Saxon legal code, that of King Ethelbert in 597, which sets penalties for violating a church's offer of sanctuary. In 887, Alfred the Great's legal code expressly provides that any man who flees to a monastery shall be protected for three days, during which time he may come to terms with those seeking him out. As the power of the crown grew in England under the Tudors and Stuarts, and that of the church waned, the power of the church to grant sanctuary eroded. By 1540, the Parliament under King Henry VIII abolished church sanctuary for a wide range of crimes, but also designated eight cities where fugitives could find refuge. Under James I, the British Parliament abolished sanctuary entirely in 1603–1604. Following the religious upheaval and English civil war of the seventeenth century, the British Parliament in 1708 allowed foreign Protestant refugees seeking refuge in England to become citizens.

Refugee movements mark key milestones of American history. The Pilgrims, who started settlements in New England in the seventeenth century soon after James I abolished sanctuary, were refugees fleeing religious persecution in England. Many waves of subsequent immigrants to this country were, in fact, refugees fleeing various forms of persecution.

Within the United States, a refugee movement of sorts occurred in the face of the Fugitive Slave Act of 1850, which prohibited transporting or harboring escaped slaves, when the abolitionists "conducted" the Underground Railroad, smuggling escaped slaves north to freedom. Among twentieth-century refugees who have made significant contributions to American life are Albert Einstein, Henry Kissinger, and Rudolf Nureyev.

The most recent refugees to the United States include Vietnamese, Laotians, and Cambodians who fled after the American withdrawal and the communist takeover of their countries. Hundreds of thousands of refugees have also fled Cuba by boat and raft since a revolution in 1959 brought Fidel Castro to power. By some estimates, one-tenth of Cuba's population have become refugees, starting new lives mostly in the United States, primarily in the Miami , Florida area. American generosity has been selective, however. Throughout the 1980s, as civil war and repression wracked El Salvador and Guatemala, whose governments were backed by the United States, more than 97 percent of Salvadorans and Guatemalans applying for asylum in the United States were denied. During that same time, 75 percent of applicants from the Soviet Union were approved, and approval rates for asylum seekers from other communist countries were generally high. Presidents Ronald Reagan, George Bush,

and Bill Clinton all pursued a policy of interdicting Haitian asylum seekers and automatically sending them back to Haiti without first making a determination as to whether they might qualify as refugees. As such, it is likely that genuine refugees among them were returned to persecution.

Refugees have also played a prominent role in continental European history. One of the most common reasons for forced migration in Europe has been religious and ethnic intolerance. The history of the Jews in Europe is that of a religious minority that never achieved firm protection from sovereign powers and frequently was forced to flee official or officially condoned persecution, including their expulsion from Spain in 1492, their flight from pogroms in Russia in the late nineteenth and early twentieth centuries, and their exile from Germany, Austria, and the Sudetenland in the 1930s.

Protestants in Europe were also forced to flee at key points in their history. On October 18, 1685, King Louis XIV of France revoked the Edict of Nantes, marking the end of tolerance of the French Protestants, known as Huguenots. Within days, Friedrich Wilhelm, the Great Elector of Brandenburg, issued the Edict of Potsdam, offering asylum to the French Huguenots. The English word *refugee,* in fact, has its origin in the French *refugie.*

Although religious persecution caused most mass movements of refugees during the Middle Ages and through the Reformation, political ideology characterized most European refugee flows from the French Revolution in the late eighteenth century through the end of the Cold War. Article 120 of the French Constitution of 1793 marks a new political consciousness about political exile by providing asylum to foreigners exiled "for the cause of liberty."

As state power grew in the nineteenth century, European governments concluded extradition treaties with one another. However, these same governments saw the rationale for exempting political offenders from extradition. Implicit in these treaties was the recognition that refugees ought to be protected from forced repatriation. In 1832, France made that recognition explicit in the Law Concerning Foreign Refugees Residing in France, which defined foreign refugees as persons residing in France without their own government's protection.

The lack of protection from one's own government is a key element in the concept of refuge. A refugee has been denied the rights associated with citizenship, fearing persecution at the hands of his or her own government. Denied rights due them as citizens, refugees become a uniquely human rights concern, as they are forced to seek protection from outside their homeland.

The Balkan Wars of 1912–1913 touched off mass refugee movements in southeastern Europe that continued throughout World War I; in the aftermath of the war, the Russian Revolution created another 1.5 million refugees, placing enormous strains on European stability. In 1921, in response to the Russian exodus, the League of Nations appointed the Norwegian explorer Fritjof Nansen as the first High Commissioner for Refugees. Aware of the lack of protection that accompanies lack of documents, Nansen produced documents for Russian refugees, known as Nansen Passports, which afforded the refugees recognition and protection.

In short order, new refugee movements outside Russia, particularly of Armenians fleeing severe persecution in Turkey, placed similar demands on the High Commissioner to issue more Nansen Passports. His office also assisted hundreds of thousands of

Greek and Turkish refugees who were displaced in the early 1920s. With Nansen's death in 1930, the Office of the High Commissioner lapsed.

The rise of Nazism in Germany in 1933 produced a new wave of refugees, but the international community was ill prepared to assist and protect those who might otherwise have escaped the atrocities to come. The League of Nations provided minimal financial support to the newly constituted Nansen Office, and a Convention Relating to the Status of Refugees drafted by that office in 1933 was ratified by only eight countries.

THE UNITED NATIONS AND REFUGEES

World War II displaced an estimated 30 million people, and a United Nations Relief and Rehabilitation Administration in 1943 and the International Refugee Organization (IRO) in 1947 were created to assist "displaced persons" and refugees. In 1946, the UN General Assembly declared that no displaced person or refugee who had shown satisfactory reason for not being returned to his or her country of origin should be forcibly returned.

The Soviet Union opposed the creation of the IRO, seeing it as promoting flight of refugees from the newly communist states of Eastern Europe. Throughout the Cold War, the Soviet bloc remained aloof from the international system, including the UNHCR, created to protect and assist refugees. Until the end of the Cold War, none of the Soviet bloc countries ratified the 1951 Convention Relating to the Status of Refugees.

Modern refugee movements have by no means been limited to Europe. More than a million Palestinian Arabs fled or were evicted after the partition of Palestine in 1948. A specialized United Nations agency, the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), was created on their behalf in 1950. In 1967, as a result of the Six Day War, hundreds of thousands of Palestinians were displaced, many for a second time. By 1999, UNRWA had registered 3.5 million Palestinians as refugees in the West Bank, Gaza Strip, Jordan, Lebanon, and Syria.

UNRWA operates with a different mandate, and employs a different refugee definition, than does the UNHCR, which is responsible for protecting and assisting other refugee groups. UN General Assembly resolutions define Palestinian refugees as persons who resided in Palestine two years prior to the outbreak of hostilities in 1948 and who lost their homes and livelihoods as a result of that war. Unlike the UNHCR's three durable solutions, the UNRWA mandate recognizes only repatriation or compensation as permanent solutions for the Palestinian refugee problem.

OTHER REFUGEE TROUBLE SPOTS

The partition of the Indian subcontinent in 1947 was accompanied by brutal communal fighting, which, in turn, forced millions to flee. Most of the refugees fled from the Punjab, Indian Delhi, and the Pakistani North West Frontier Province, where communal violence was heaviest. Masses of traumatized Hindus and Sikhs fled to India, while Muslims, in turn, fell victim to vicious persecution by Hindus and others in India, prompting a mass exodus into Pakistan. The two sides formally agreed to a population transfer after the majority had already fled in the midst of violent attacks. A 1951 census in West Pakistan put the number of Muslim refugees from India at 5.8 million;

Refugees from ethnic conflict in Bangladesh, April 1992.

an Indian census in 1949 counted 4.4 million Hindu and Sikh refugees who had arrived from West Pakistan. Perhaps as many as a million did not survive the ordeal.

Three decades later, Pakistan and India would again endure mass influxes of refugees. In 1971, 10 million refugees fled from East Pakistan (now Bangladesh) to India, after tensions between West and East Pakistan erupted into violence. The mass influx of refugees was a major cause of India's declaration of war on Pakistan in December 1971 and the subsequent declaration of independence by Bangladesh, following which the refugees were repatriated. Between 1979 and 1983, about 3 million Afghan refugees fled into Pakistan, while nearly 2 million others fled into Iran. Most of the refugees endured a life of exile for more than two decades. Even after the end of the cold war, the withdrawal of Soviet troops from Afghanistan, and the defeat of the Soviet-installed government, the bulk of the refugees did not go home. Ethnicity-based civil war replaced the proxy battle of the superpowers, and ongoing insecurity thwarted reconstruction as well as refugee repatriation.

Conflicts surrounding the African independence movements of the mid-1960s and the consolidation of newly independent states contributed to refugee flows throughout much of the continent. In the Horn of Africa and southern Africa, in particular, ethnic conflicts, repression, and war, exacerbated by droughts and famines, contin-

ued to produce massive flows of refugees in the 1970s, 1980s, and 1990s. Refugees would crisscross borders, for example Ethiopian refugees fleeing to Sudan even as Sudanese refugees fled to Ethiopia. Others, in places like South Africa or Somalia, became internally displaced.

Although the end of the cold war and reforms in South Africa resulted in reduced tensions and significant voluntary repatriation of Namibian, Mozambican, South African, Ethiopian, and Eritrean refugees, the long-awaited repatriations to Sudan, Rwanda, and Angola failed to materialize, as civil strife based on ethnic and political divisions continued unabated and created new refugee flows out of Liberia and Somalia. By 2000, two-thirds of the world's uprooted—combining internally displaced and refugees—were in Africa and the Middle East.

Nationality- and ethnicity-based persecution has become an increasingly common cause of refugee flight in the post–cold war era. In 1992–1995, ethnic and religious persecution in the former Yugoslavia forced more than three million refugees from their homes in Bosnia and Croatia. In 1998–1999, the conflict in Kosovo displaced additional hundreds of thousands both inside and outside Kosovo. After the rapid return of the overwhelming majority of ethnic Albanian Kosovars in the summer of 1999, more than 200,000 ethnic Serbs and Roma were forced to flee, mostly to Serbia proper and Montenegro.

Kosovar refugees, fleeing from Serbian death squads, move into Macedonia, April 1999.

To an unprecedented degree, the conflicts in the former Yugoslavia stretched the mandate and resources of the UNHCR and the international regimen of refugee protection and assistance. The UN secretary-general charged the UNHCR with the task of providing humanitarian assistance to besieged communities still within Bosnia and Kosovo. Traditionally, the UNHCR has remained outside a country's borders protecting and assisting refugees, who, after all, are defined as being outside their country of origin. But in the post–cold war era, first in northern Iraq with Kurdish refugees displaced in the aftermath of the Persian Gulf War, and then in Bosnia and Kosovo, the UNHCR crossed the line of state sovereignty to intervene on behalf of vulnerable groups before they actually became refugees.

Some see this development as a historic advance and challenge to the presumption of refugee protection from the earliest times: that a refugee is to be protected only after he or she has gone into exile. This view sees the starting point of protection as the persecution or threat of persecution that causes a person to flee. Stopping the persecution, according to this view, would prevent the refugee problem from occurring at all.

Others see the international community as unable or unwilling to redress the massive human rights abuses and violence that cause major refugee flows and argue that outside governments find it more expedient simply to prevent would-be refugees from entering their countries, while using humanitarian intervention as an excuse for denying asylum.

In the early 1990s, this debate focused on would-be refugees still living within Haiti, Bosnia, China, Somalia, and Iraq, among others. The ability of the world community to assist and protect such vulnerable populations, while still in their home countries pending resolutions of the situations that threatened them, as well as its effectiveness in alleviating the causes of their misery, would determine the meaning of the term *refugee* and the relevance of the need for asylum in the twenty-first century.

Bill Frelick

See also: Asylum; Exile and Deportation.

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Reproductive Rights

While reproductive rights have gained their greatest recognition during the past two decades, they are firmly rooted in some of the most basic human rights principles. As noted in the Programme of Action of the 1994 International Conference on Population and Development (Cairo Programme of Action), "Reproductive rights embrace certain human rights that are already recognized in national laws, international laws and international human rights documents and other consensus documents." Broadly speaking, the concept of reproductive rights encompasses two principles: the right to reproductive health care and the right to reproductive self-determination. Measures may be taken to ensure these two rights overlap and are interdependent. Their international legal foundations, however, are distinct, and their broad implications bear separate examination.

THE RIGHT TO REPRODUCTIVE HEALTH CARE

The right to reproductive health care is rooted in the provisions of international human rights instruments protecting life and health. The right to life is protected in provisions of most of the principal human rights instruments, including Article 3 of the United Nations Universal Declaration of Human Rights (Universal Declaration) and Article 6 of the International Covenant on Civil and Political Rights (Civil and Political Rights Covenant). While traditionally read to protect individuals only from arbitrary execution by the state, the right to life has been interpreted by the Human Rights Committee, the body that monitors compliance with the Civil and Political Rights Covenant, to require governments to adopt "positive measures" aimed at preserving life. In particular, the Committee recommends that states take steps to "reduce infant mortality and to increase life expectancy." Implementation of both of these recommendations requires an investment in health care, including reproductive health care.

The right to health is recognized in Article 12 of the International Covenant on Economic, Social, and Cultural Rights (Economic, Social, and Cultural Rights Covenant), which requires states to "recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." The World Health Organization (WHO) has defined health as "a state of complete physical, mental and social well-being, not merely the absence of disease or infirmity." According to the Cairo Programme of Action, "reproductive health" is total well-being "in all matters relating to the reproductive system and to its functions and processes." While the right to health does not guarantee perfect health for all people, it does encompass a government duty to ensure health care. Article 12(2)(d) of the Economic, Social and Cultural Rights Covenant requires states to create "conditions which would ensure to all medical service and medical attention in the event of sickness."

The international community's earliest explicit acknowledgment of the right to reproductive health care appears in provisions relating to maternal and child health. Article 25(2) of the Universal Declaration pro-

vides that "[m]otherhood and childhood are entitled to special care and assistance." Similarly, Article 10(2) of the Economic, Social and Cultural Rights Covenant declares: "Special protection should be accorded to mothers during a reasonable period before and after childbirth." Article 12(2)(a) requires states to provide for "the reduction of the stillbirth rate and of infant mortality." All of these provisions suggest a government duty to provide pre- and post-natal care, as well as medical assistance during childbirth.

A broader obligation to provide the full range of reproductive health services has support in principles of non-discrimination. Article 3 of the Civil and Political Rights Covenant and Article 3 of the Economic, Social and Cultural Rights Covenant obligate governments to ensure the equal enjoyment of the rights protected in these instruments. To ensure equal enjoyment of the rights to life and health, states must take into account the particular health needs of both women and men. This point is recognized in the Convention on the Elimination of All Forms of Discrimination Against Women (Women's Convention). Article 12(1) of that Convention requires states to ensure "on a basis of equality of men and women, access to health care services, including those related to family planning."

Reproductive health is a fundamental aspect of women's well-being. Without regular access to safe, high-quality services, women become vulnerable to a host of health complications, which may include death or injury during childbirth, unwanted pregnancy, and sexually transmitted diseases (STDs). The right to reproductive health care thus gives rise to a governmental duty both to ensure the availability of reproductive health services and to remove legal barriers to reproductive health care.

States must take affirmative measures to ensure that reproductive health care is available and accessible to all women. The Committee on the Elimination of Discrimination Against Women (CEDAW), the body that monitors compliance with the Women's Convention, has addressed government obligations pertaining to reproductive health care. In its recommendation on Women and Health, it declares: "States should implement a comprehensive national strategy to promote women's health throughout their lifespan. This will . . . ensure universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services."

Comprehensive reproductive health care should include measures to promote safe motherhood, care for those infected with HIV/AIDS and other STDs, abortion, infertility treatments, and a full range of quality contraception (including emergency contraception). An implicit element of the right to health care is the right to information necessary to protect one's own health. Article 10(h) of the Women's Convention recognizes the importance of information in fulfilling the right to health, stating that governments shall ensure "[a]ccess to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning." Women and adolescent girls should be given the information they need to protect themselves from such threats to their health as unwanted pregnancy, STDs, and harmful traditional practices such as female genital mutilation.

Governments are also bound to remove legal barriers to reproductive health care. CEDAW, in its General Recommendation on Health, has stated that "barriers to women's access to appropriate health care

include laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures." In many countries, women's access to abortion is severely restricted by criminal legislation. Many reproductive care advocates argue that abortion is a medical procedure. Because an unwanted pregnancy subjects a woman to undesired risks to her physical and mental health, an abortion may be her preferred medical option. Furthermore, when a pregnancy puts a woman's life or health in immediate danger, an abortion may be necessary to ensure her safety. Restrictive abortion laws thus, in this view, impede access to health care. Other legal barriers to reproductive health include laws that restrict advertising of contraception, laws that require a husband's consent to obtain contraception, and laws that criminalize voluntary sterilization procedures.

REPRODUCTIVE SELF-DETERMINATION

A fundamental aspect of reproductive self-determination is the right to plan one's family. This right has been declared by the international community in documents adopted at international conferences and in the Women's Convention. The right to determine "freely and responsibly" the number and spacing of one's children and to have the information and education necessary to do so was first articulated in 1968, at the International Conference on Human Rights in Teheran. It was reaf-

Muslim women protest against abortion at the 1995 United Nations Fourth World Conference on Women in Beijing, China.

firmed in 1974, at the World Population Conference in Bucharest; in 1984, at the International Conference on Population in Mexico City; in 1994, at the International Conference on Population and Development in Cairo; and, most recently, in 1995, at the Fourth World Conference on Women in Beijing. (However, at all these conferences, some women, often from conservative Muslim countries, opposed the mainstream's demands for more reproductive rights.) The right was given legal force in Article 16(e) of the Women's Convention, which provides that states shall ensure men and women "[t]he same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights." States are thus obligated to ensure that men and women have access to a full range of contraceptive choices and reproductive health services and that they have information about family planning and sexual and reproductive health.

The principle of reproductive self-determination also encompasses the right to freedom from interference in reproductive decision making. This right relates to broader notions of bodily autonomy, often referred to as the right to physical integrity. The principle of physical integrity has roots in the right to respect for human dignity, the right to liberty and security of the person, and the right to privacy. Physical integrity is explicitly protected in Article 4 of the African Charter of Human and People's Rights and Article 5(1) of the American Convention on Human Rights (American Convention). It protects women from unwanted invasion of or intrusion into their bodies and other non-consensual restrictions on women's physical autonomy.

Abortion is a critical part of the right to reproductive self-determination. Denying a woman the option of avoiding pregnancy or childbirth, for example, interferes with her right to decide on a matter having tremendous implications for her body and personal liberty. Nationally and internationally, the right to privacy has been invoked to support the principle that women are entitled to make decisions about their bodies, free of interference. Privacy and family life are protected by Article 12 of the Universal Declaration of Human Rights, Article 17 of the Civil and Political Rights Covenant, Article 11 of the American Convention, and Article 8(1) of the European Convention on Human Rights (European Connection). The European Commission on Human Rights has held that laws that restrict a woman's choice to terminate a pregnancy, for example, touch on the right to privacy protected in Article 8(1) of the European Convention.

Of course, a few human rights advocates believe that the right to reproductive self-determination, which allows an abortion is not sufficiently strong to override the fetus' right to life. Negotiating a path between these two rights remains a controversial issue in many countries.

Reproductive self-determination implies freedom, not just from intrusive laws and policies, but from all forms of violence and coercion that affect a woman's sexual or reproductive life. One such coercive practice, forced marriage, has long been recognized by the international community as a violation of human rights. Article 16(2) of the Universal Declaration provides that "[m]arriage shall be entered into only with the free and full consent of the intending spouses." This requirement is echoed in Article 10(1) of the Economic, Social and Cultural Rights Covenant and Article 23(3) of the Civil and

Political Rights Covenant. A broader notion of self-determination has been recognized in more recent years. The Cairo Programme of Action notes that women are entitled to "make decisions concerning reproduction free of discrimination, coercion and violence."

Violence against women is often directed specifically at a woman's sexual or reproductive capacity. Rape and other forms of sexual violence, female circumcision/female genital mutilation, and forced or coercive sterilization are examples of the types of violence that infringe upon reproductive self-determination.

CONCLUSION

It has been widely recognized that reproductive rights are critical for the attainment of women's equal status in the world. Full enjoyment of reproductive rights depends, in turn, on profound social, economic, and political change. In the short term, governments can promote reproductive rights by realizing legislative and policy change, building a culture of human rights through enhancement of legal literacy and access to legal recourse, developing indicators for monitoring enjoyment of rights, and ensuring the political commitment to allocating resources toward these efforts.

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See also: Abortion; Right to Life.

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Right to Life

In the context of the contemporary discussion of human rights, the right to life refers to the right not to be arbitrarily deprived of life. In this context, one should note that most discussions of the right to life are not primarily concerned with the anti-abortion movement, which has adopted the "right to life movement" as a self-designation. The issue of capital punishment is also involved with the right to life, but is only one of many associated issues. Other issues discussed under the category of the right to life are deaths that occur during routine police actions and during actions taken by authorities to suppress riots, as well as the duty of the state to prevent acts of murder by private citizens and others.

The right to life is obviously a precondition for enjoying the exercise of other human rights. Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life, liberty, and security of person." Article 6 of the International Covenant on Civil and Political Rights deals with the right to life in greater detail:

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.
2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgment rendered by a competent court.
3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.
4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.
5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.
6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

Finally, Article 1 of the Second Optional Protocol to the International Covenant on Civil and Political Rights adopts the position that eliminating capital punishment will enhance human dignity and develop human rights:

1. No one within the jurisdiction of a State Party to the present Optional Protocol shall be executed.
2. Each state shall take all necessary measures to abolish the death penalty within its jurisdiction.

This position reflects the changing sensitivity to capital punishment, which has emerged as a major issue in recent decades.

At first glance, it may appear paradoxical that many anti-abortion activists support the death penalty while opponents of capital punishment often adhere to a pro-choice position. These superficially contradictory views can, however, be supported by, in the former case, making a sharp contrast between the innocence of the unborn and the guilt of candidates for capital punishment; and, in the latter case, by drawing a sharp distinction between the personhood of individuals on death row and the non-personhood of the unborn.

The debate over the personhood of the fetus is reflected in the contrast between Article 6 of the International Covenant on Civil and Political Rights, and Article 4 of the American Convention on Human Rights (adopted in San José, Costa Rica, on November 11, 1969). The American Convention asserts that the right to life begins "from the moment of conception." Efforts to include similar wording into the International Covenant on Civil and Political Rights were defeated, although, by stipulating that pregnant women should not be executed, Article 6(5) cited above seems to impute personhood to the human fetus. Minus this sort of stipulation, the implication is that an unborn fetus is a non-person without rights, which can therefore be aborted without violating the right to life principle.

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See also: Abortion; Capital Punishment.

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Roma ("Gypsies")

The Roma—commonly but incorrectly known in English as "Gypsies"—number between 7 million and 8 million in Europe and are that continent's largest and most oppressed minority. Of north Indian origin, they reached Europe in the late Middle Ages and maintain their own language and customs. They have been persecuted throughout Europe for centuries and were, along with Jews, targeted for extermination by Nazi Germany. About 500,000 to 600,000 were killed during the Holocaust.

Repression and discrimination continued after World War II. Many Eastern bloc countries launched forced assimilation policies that tended to negate Romani identity. After the cold war ended, long-submerged bigotry emerged, which led to violent attacks and expulsions—often with police approval or participation—of the Roma from Eastern Europe. The Roma suffer from discrimination in education, employment, health care, and other public services across Europe.

The ongoing discrimination against the Roma encompasses a multitude of human rights crimes. The United Nations Universal Declaration of Human Rights forbids discrimination on any grounds, including that of racial or ethnic background. Nevertheless, throughout much of Europe, the Roma are denied their right to national self-determination, participation in the government, security of person, and freedom of movement and residence. In its first article, the Universal Declaration of Human Rights states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood." Yet all too often the Romani people are treated with little dignity or respect for their rights. In recent years, human rights advocates—sometimes prodded by Romani civil rights groups—have begun to insist that the struggle to gain full human rights for the Roma is one of Europe's most important human rights arenas.

Romani civil rights movements and organizations have been assembled in several countries, notably Germany, Spain, and Italy. The European Roma Rights Center, based in Budapest, monitors the human rights status of the Roma. Other organizations whose purview is not limited to the Roma, such as the Princeton, New Jersey–based Project on Ethnic Relations, include the Roma struggle as part of their work to prevent ethnic conflicts in Europe.

HISTORY

Although the word *Gypsies* derives from the notion that the Roma's ancestors came from Egypt, Western scholars have recognized, since the late eighteenth century, that the group's origins lie in northern India. Their Indo-Aryan language is rooted in old Indic, the scholarly form of which was Sanskrit. According to Professor Ian Hancock, the group's name in that language—Rom—derives from the Sanskrit word rama, meaning "man" or "husband."

The Roma have been the victims of prejudice and repression in Europe since their arrival there. According to anthropologist Gabrielle Tyrnauer, they were "regarded . . . with a mixture of envy, fear, nostalgia, and contempt." The names they have been given

in European languages reflect their history as outsiders to the established Christian political and social culture. "Gypsy," the Spanish *gitano,* implies a supposed Egyptian origin. Other names, like Zigeuner in German or tsigane in French, are derived from the name of a Manichean sect to which the Roma were widely—and wrongly—believed to belong.

Over the centuries, groups of the Roma split off, and, in isolation, the subgroups developed separate cultural patterns and acquired separate names. Sinti, for example, is the name for Germanized Roma, whose ancestors settled in German territory as early as the fifteenth century.

European countries imposed a variety of punishments on the Roma, including death, torture, and expulsion. One historian has counted 148 such laws in German territory alone from the fifteenth through the eighteenth centuries. The Roma were expelled from the Holy Roman Empire in 1500 and from England by a series of laws in the sixteenth century. Saxony expelled them in 1579, and a law authorized in 1648 condemned them to death. In 1710, Frederick I of Prussia condemned all adult male Roma to forced labor, women to be whipped and branded, and children to be taken from their parents. In the same year, Emperor Joseph I of Austria-Hungary ordered Romani men to be hanged. In Bohemia, boys and women had their left ears cut off; in Moravia the right ones were cut off. "Gypsy hunts" were common sport in many countries.

Enlightenment scholarship did little to eradicate this persecution. Heinrich Grellmann, the eighteenth-century German ethnographer who confirmed the Roma's Indian origin, contended that the 700,000 to 800,000 Roma who then populated Germany prompted "serious consideration . . . [since] . . . most of these people [were] idlers, cheats, and thieves." Cesare Lombroso, a leading Italian criminologist of the late nineteenth century, believed that certain anthropological traits were associated with particular "criminal types," and he characterized the Roma as "the living example of a whole race of criminals."

In 1899, Bavaria created the Gypsy Affairs Office, later called the Central Office for Fighting the Gypsy Menace. A census taken by the agency in 1905 described the Roma as "a pest against which society must unflaggingly defend itself." In 1926, the Bavarian Law for Combatting the Gypsies, Vagabonds, and Idlers provided that Roma with criminal records could be expelled from municipalities and states, and forced to travel on prescribed routes and live in prescribed areas. It also gave the police power to seize and send for two years to an Arbeitsanstalt, or labor institution, any Romani person over sixteen whose police records did not prove "steady employment." In 1928, the Roma were made subject to permanent police surveillance, and, the next year, the Munich center allied with Interpol in Vienna to register and detain Roma.

A book published in 1920 by a psychiatrist-judge developed the idea of *lebensunwertes Leben*—"lives unworthy of life"—and advocated the killing of those who were *Ballastexistenzen*—"dead weight"—upon humanity, including the Roma. A treatise of 1928 by the influential anthropologist Hans Günther asserted that it was the Gypsies who "introduced foreign blood into Europe."

NAZI PERSECUTION

The Third Reich established by Adolf Hitler in Germany in the 1930s inherited the deep, long-standing structure of anti-Roma laws and customs and carried it to new heights. As Gabrielle Tyrnauer has noted, the

Roma's "experience with the Third Reich was . . . a new kind of persecution. . . . It was total, ideological, and aimed at the extermination of their entire ethnic group-in short, genocide, as it came subsequently to be called." Indeed, "among all those who suffered under the Nazi Terror only Jews and Gypsies were marked for total extermination."

In one of Nazi Germany's earliest actions in July 1933, the Roma were categorized as having "innate feeblemindedness," under the *Gesetz zur Verhutung erbkranken Nachwuchs* (Law for the Prevention of Geneticall-ly Unsound Offspring). This categorization permitted their forced sterilization. The Roma accounted for some 94 percent of all forced sterilizations in Nazi Germany. The first mass arrest of the Roma occurred in January 1934. Classifications labeled the Roma as "racially inferior asocials and criminals of Asiatic ancestry."

Although the Roma were not mentioned by name in the Nuremberg Laws of September 15, 1935, authoritative commentaries included them as distinctive racial minorities of "alien blood." In 1936 the government created a principal institution to deal with the Roma, the *Rassenhygienische und Bevolkerungsbiologische Forschungsstelle* (Racial Hygiene and Criminal Biology and Research Unit) of the Ministry of Health. Robert Ritter, a psychiatrist who had tried to prove the Roma's distinctive racial qualities by studying their genealogy and genetics, was named head. The agency used biological and anthropological theories to classify the Roma and concluded that they were inherently diseased. These studies formed the basis of Nazi official Heinrich Himmler's *Runderlass,* or circular decree, of December 8, 1938, on Combatting the Gypsy Menace, which advocated "the resolution of the Gypsy question based on its essentially racial nature."

As early as 1935, the Nazis had established an internment camp for the Roma in Cologne. More camps were set up in Düsseldorf in 1936, and in Frankfurt in 1937. The largest camp, Berlin-Marzahn, was created to rid Berlin of the Roma for the 1936 Olympics. Across Germany in 1938, many Roma were arrested, often those already in internment camps. Many were deported to Sachsenhausen, Buchenwald, Dachau, Mauthausen, and other concentration camps. After Germany took over Austria in 1938, camps for the Roma were set up there as well. Roma property, including gold, was confiscated.

World War II broke out in 1939. Three years later Nazi propaganda minister Joseph Goebbels asserted that "Jews and Gypsies should be exterminated unconditionally." In December 1942, Heinrich Himmler, the Nazi leader in charge of the concentration camps, issued the *Auschwitz-Erlass,* which ordered the deportation of all "mixed-blood Gypsies, Rom-Gypsies, and Gypsies of 'Balkan blood origin'" to Auschwitz-Birkenau.

Thousands of Roma were also sent to other death camps, such as Belsec, Sobibor, and Treblinka. Thousands more were simply shot. On the evening of July 31, 1942—*Zigeunernacht,* or "Gypsy Night"—all but 1,500 of the Roma at Auschwitz were killed by poison gas. Thus, the Roma joined the Jews in being victims, albeit on smaller scale, of the human rights crime of genocide. The Roma suffered other atrocities as well. At Auschwitz, Dr. Josef Mengele conducted medical experiments on them. These included the killing of Romani twins to study comparative eye coloration and the study of fetal development by artificially in-

seminating Romani women and then forcibly performing abortions at various stages.

On the Eastern front, the Roma, like Jews, were killed under explicit orders by firing squads. In November 1942, it was reported that all Roma in Serbia had been killed. In Croatia, the fate of the Roma was left to the pro-Nazi Ustasa regime, which is believed to have killed all but 1 percent of the prewar Roma population. Estimates of Romani deaths during World War II have ranged from 219,000 to more than 1 million.

POSTWAR CLIMATE AND TREATMENT

The age-old hostility toward the Roma continued throughout Europe after World War II. East Germany, considering itself a new, socialist state with no connection to its Nazi past, disclaimed any responsibility for Nazi horrors inflicted on the Roma. The West German government transferred to its agencies the "Gypsy" files that had been collected during the Third Reich.

Anti-Roma regulation continued in force. The Cologne municipal authorities, for example, expressly accepted the validity of Himmler's 1938 *Runderlass* on Combatting the Gypsy Menace. Cologne regulations also maintained Nazi restrictions on issuing licenses for Roma with itinerant trades, such as musicians, craft workers, and traveling vendors, and mandated the registration and surveillance of all local Roma employment.

Persecution of the Roma was especially strong in Eastern Europe after World War II ended. In 1958, Czechoslovakia adopted a measure aimed at the Roma that forbade "nomadism." This law led to the government slaughter of Romani horses that had formerly pulled their caravans. Bulgaria and Poland also passed laws designed to prevent the free movement of the Roma.

In Western Europe, increasing civil rights activism led the Roma to organize national Roma assemblies for the purpose of fighting for Romani civil rights. This civil rights movement inspired the First World Romani Congress, held in London in 1971 and attended by Romani representatives from fourteen countries. This landmark event marked the coming of age of a Romani human rights struggle that continues to the present day. Although there have been other World Romani Congresses, the fight for Romani human rights has largely been fought country by country, as the Roma in different European states can often be faced with substantially different barriers to achieving full human rights.

NATIONAL CONDITIONS

Today, living conditions for the Roma and their human rights situation vary from one country to another. Below is a breakdown of countries with a significant Romani population.

Romania: Romania is home to the single largest Romani community. Estimates range from 1.35 to 2 million, or more than 9 percent of the population. Former dictator Nicolae Ceausescu, who ruled Romania from 1965 to his execution in 1989, followed a policy of "homogenization" of Romanian society by integration of minorities. This assimilation program led to the suppression of Romani language, history, and culture. Attempts were made to settle the Roma who lacked fixed addresses. Some old Romani quarters were destroyed and traditional occupations prohibited.

Since the 1989 revolution that overthrew

the Ceausescu regime, the Roma have gained political and cultural rights, but hatred and violence toward the Roma—which had been suppressed under that regime—have become overt and severe. Mob attacks on people and property became so common in the mid-1990s that the Ministry of the Interior developed a Mob Violence Prevention Program. Even after that plan was enacted, however, local police forces have themselves been accused by Romani and human rights organizations of conducting unjustified and violent raids against Romani communities, sometimes under the rubrics of "illegal domicile" or "fighting crime."

Bulgaria: In Bulgaria, where the Romani population is estimated at 6 to 7 percent, discrimination and violence toward the Roma have remained a serious problem since the fall of the Communist government in 1989–1990. There have been reports of organized police beatings and the arbitrary arrests and jailings of the Roma, as well as of attacks by skinheads. It has been difficult for the Roma to apply for social benefits and to claim land to which they were entitled under the law disbanding socialist farming cooperatives. In 1998, the government announced that it would develop a long-term program to integrate ethnic and religious minorities, including the Roma.

Spain: Spain has the largest Roma community in Western Europe, with estimates ranging from 650,000 and 1 million, or roughly 2 percent of the population. They have historically been marginalized and still suffer social and economic discrimination. According to some Romani sources, 75 to 80 percent of the Spanish Roma have "informal sector" employment in farm work and peddling. A Madrid ordinance against peddling was invalidated by a court but is reportedly still enforced in some places, and other municipalities have enacted similar bans. Truancy, dropout, and illiteracy rates are high. Housing conditions are often poor; Roma were estimated in 1990 to constitute 95 percent of the squatter population. There have been some efforts to relocate squatters, but the housing to which they were transferred has been substandard. Non-governmental organizations like Gypsy Presence advocate for improved conditions, as does the Office of the People's Defender.

Hungary: The situation is much the same in Hungary, where, at about 350,000, or 5 percent of the population, the Roma are the largest minority group. Here, too, Romani leaders and organizations assert that both discrimination and police and judicial harassment have worsened since the fall of communism in 1989. Romani unemployment is estimated at 70 percent, and the Roma are discriminated against in education, housing, and other public functions. The Roma have been evicted by local authorities in the name of eliminating substandard housing. The law prohibits discrimination, but it often goes unenforced.

In 1994, in the first elections for minority self-government, 477 Romani governing bodies were chosen, a number that increased to 770 in 1998. These governments have, however, been criticized for underfunding and for allowing the local governments to disclaim responsibility for the welfare of their poorest citizens. Publications and broadcasting are available in the Romani language.

In 1998, the prime minister accused Romani communities of embracing criminal elements. The mayor of Patka gathered one thousand signatures in support of barring

out the Roma from another town, and the mayor of Isaszeg ordered an eighteen-member Romani family to leave. An agreement with the European Union the same year required Hungary to "ensure justice and protection for the Roma."

Slovakia: Roma are the second largest minority, after Hungarians. Estimated to number between 300,000 and 520,000, Roma make up to 10 percent of the population, one of the highest proportions in the world. Racist attacks by skinheads and others have been common. The police have often denied the existence of these crimes and have sometimes brought charges against the Romani victims. The use of the Romani language in colloquial speech is widespread, but its official recognition is ambiguous. The right to use languages other than Slovak in official communications was effectively discouraged by a 1995 law.

The Roma have also been subjected to geographic exclusions. Local residence permits are mandatory, and local authorities have applied the requirement in a discriminatory fashion to block the Roma from moving into cities and to expel them from existing locations, thus separating them from the larger society.

Russia: Reports on the human rights status of the Roma in Russia, where they number an estimated 375,000, or 0.3 percent of the population, are sparse. There is widespread discrimination against them in the Caucasus and Central Asian regions. The Roma have been attacked by skinheads and targeted by police for harassment, arrest, illegal penalties, and deportation from cities.

Czech Republic: The Roma, estimated at

In Prague, demonstrators march in defense of Roma rights. A nearby rally of racist skinheads is marching against the Roma, May 1992.

200,000 to 275,000, are the second largest minority after Slovaks. Discrimination and sporadic violence against the Roma are a principal human rights problem in the country. Popular prejudice is deeply ingrained, and the Roma suffer from poverty, unemployment, illiteracy, and disease. Many cases have been identified of the failure of police to act on reports of attacks on and threats against the Roma. Some politicians and organizations openly promote hatred against the Roma.

A citizenship law enacted in 1993 at the time of the split with Slovakia effectively deprived many Roma, who had been citizens of Czechoslovakia, of Czech citizenship. Under a 1969 law, most Roma had been designated as Slovaks, and after 1994 they had to undergo naturalization to become Czech citizens. Roma without Czech citizenship are unable to vote or receive health and other social benefits.

In 1998, the 1958 law aimed at the Roma prohibiting nomadic lifestyles was repealed. Except for an advisory council on nationalities, which has three Romani members, there are few Roma in government positions. The state funds some broadcasting and print media for the Roma.

Greece: The estimated 150,000 to 300,000 Roma in Greece, once largely migratory, have been gradually settling into suburban slums. Plagued by poverty and illiteracy, they suffer widespread discrimination in fields like employment and housing. The Roma have also been targets of police brutality. There have been some reports that the Roma have been refused employment registration on the ground, or pretext, that they failed to meet residency requirements.

Italy: The Roma number approximately 60,000 to 80,000 citizens and 45,000 to 60,000 immigrants, mostly from the former Yugoslavia. Without valid identity documents, the immigrant Roma often have difficulty obtaining legal residency or employment and in some cases have turned to begging and petty theft. Those who are citizens with established places of residence have achieved relatively equal treatment in the economic sphere. About 130 nonprofit organizations represent Romani people, although the groups are not well funded. There have been reports of police mistreatment of Roma.

Albania: The Roma, who number from 100,000 to 120,000, reached what is now Albania in about 1400, around the same time the area was conquered by the Ottoman Empire. Most adopted the Islamic faith. Their treatment was relatively benign through the establishment of an independent Albania in 1912 and the Italian occupation during World War II. The Enver Hoxha regime, which ruled Albania from 1944 to 1985, sought to submerge all separate ethnic and cultural identities, including that of the Roma. Since the end of the cold war and especially since the near-collapse of civil society in 1997 in the wake of economic scandals—during which false rumors flourished that "the Roma are rich"—conditions for the Roma worsened.

Human rights violations are widespread and affect far more than the Roma. The Roma are, however, the most neglected minority group and are subject to discrimination and economic disadvantage. They have not generally been singled out for violent attacks by the police or others.

Ukraine: The Roma are concentrated in

Transcarpathia, a sliver of territory in the southwestern corner of the country that borders Slovakia, Hungary, and Romania. They have lived in this region since the fifteenth century. The Soviet Union, which ruled Ukraine for much of the twentieth century, forcibly resettled the Roma, forbidding "vagrancy" and "parasitism" on penalty of hard labor in prison camp.

With their traditional nomadic lifestyle outlawed, the Roma in independent Ukraine have turned to what has been called the "neo-nomadism of the outcast." In that marginalized position, they have been targeted for violence by both the police and private individuals.

Poland: The national government does not practice overt discrimination against the Romani population, estimated at 40,000 to 45,000, but some local governments discriminate in the provision of services. Some schools place Romani children in separate classes, asserting that they are behind others in socioeconomic status and literacy. As in other central European countries, Roma have been attacked by skinheads, but relatively sporadically, and police authorities pursue criminal actions.

Croatia: The Romani population, estimated at 35,000, faces discrimination and lack of official response to complaints. Reports of exclusion from public education are common. The government finds the source of the problems in linguistic and cultural differences that obstruct the integration of the Roma into society.

Germany: An estimated 110,000 to 130,000 Romani live in Germany. About 60,000 of these have German citizenship, including the Sinti who settled in German territory beginning around 1400. After World War II, a Romani civil rights movement slowly began to form in West Germany. In the early 1980s, Romani activists, with the support of the *Gesellschaft für bedrohte Volker* (Society for Endangered Peoples), formed the *Zentralrat Deutscher Sinti und Roma* (Central Council of German Sinti and Roma), which later received political recognition and financial support from the West German government. Other grass-roots organizations were also formed, such as the Rom and Sinti Union in Hamburg, later called the Roma National Congress. The newer organizations, independent of the government and less strictly German in outlook, supported civil rights for immigrant and stateless Roma within Germany.

In 1995, five years after the reunification of Germany, the government officially recognized Sinti and Roma as a national minority. Two years later, the government committed itself to protecting and fostering the languages and cultures of traditional minority groups, including the Roma and Sinti. Despite these efforts, there has been considerable resistance to the idea that the Romani language should be protected and cultivated by the state. Romani leaders assert that public statements by officials and the media perpetuate prejudice against the Roma.

United States: Roma have been in the United States since at least the early nineteenth century. They live throughout the country and are concentrated in large cities. No reliable count of the Romani population exists. Some estimates range up to 1 million, which would place the United States second to Romania in the number of Roma.

Misunderstanding and hostility have fol-

lowed the Roma in their North American migrations. They continue to meet discrimination in many sectors, including housing, employment, and criminal justice. The idea of the Roma as rootless is pervasive and has led to results ranging from restrictive zoning to denials of probation.

Many communities have sought to exclude the Roma by enacting laws against "fortune telling," as the ritual of drabarimos—a method of healing to help people achieve a more spiritual way of life—is known to many Roma. A leading police publication advised passage of such laws to "deter Gypsies from inhabiting your community." In 1985, the California Supreme Court invalidated such a ban, and similar decisions have followed elsewhere.

Barry A. Fisher

See also: Racism.

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Science and Technology

The development of new sciences and technologies can have a major and often detrimental impact on human rights. While some developments, such as the Internet, may aid the cause of human rights by making more information available to a wider public, many technological advancements pose grave threats to civil liberties. Sophisticated listening and tracking stations around the world, spy satellites that can take pictures accurate almost to the inch with startling clarity, and increased computing power to maintain Internet firewalls and monitor staggering amounts of electronic communications all have the potential to undermine the cause of human rights and endanger basic freedoms.

ELECTRONIC SURVEILLANCE

The United Nations Universal Declaration of Human Rights (1948) states, "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks" (Article 12). Yet in every country, technology is making it easier to interfere with the right to privacy. There is mounting evidence to suggest that the National Security Agency (NSA) of the United States, in conjunction with intelligence agencies in Canada, England, Australia, and New Zealand, operates a massive computerized information gathering system known as Echelon, which analyzes all electronic communications in every country. Communications via telephone, fax, emails, and radio, captured by a massive array of listening stations and communication satellites, are searched for voice patterns and "keywords." All communications that the system deems suspect are then flagged for further analysis by intelligence personnel within the agencies.

While rumors of the Echelon system have raised hackles in Europe, within the United States Echelon has allegedly been used to arbitrarily monitor both private citizens and "suspect" organizations such as Amnesty International, Greenpeace, and even congressional representatives. These activities violate both the United Nations Declaration of Human Rights and the First, Fourth, and Fifth Amendments of the U.S. Bill of Rights. Congressional oversight of the activities of the NSA, especially in the past two decades, has been sparse. Scattered evidence of Echelon's intrusive activities, along with continual secrecy about the very purpose of the NSA, and constant reports of new surveillance satellites worry private citizens and human rights activists alike.

THE INTERNET

The Internet has been lauded as a new, technologically advanced highway of free speech. Because of its relatively open nature, the Internet presents a particular problem to authoritarian countries such as China, which is trying to make the transition from a centrally planned to a market-based economy, while simultaneously suppressing all forms of dissent within its borders. Traditionally, print and broadcast

media are easy targets for suppression—by threatening broadcasters and journalists, Chinese authorities impose a high degree of self-censorship on the national press. Internet content is more difficult to censor and control. In an attempt to do so, the Chinese government increased its monitoring of the Internet in 1999 with some degree of success. Banned web sites in China include foreign news services such as CNN and the BBC, and web sites belonging to persecuted religious factions such as the Falun Gong, a Buddhist offshoot that has been outlawed by the Chinese authorities.

Although information transmitted over the Internet is difficult to censor, it is just as susceptible to surveillance as phone calls or faxes, if not more so. All government agencies with access to telecommunications switchboards can intercept data as they are sent and received. Internet service providers (ISPs) can open and read the emails of their users and allow the authorities to do so. In China and Tunisia, ISPs are compelled to grant server access to their respective governments. These activities on the part of even the most liberal governments present a massive and outright attack of every individual's basic right to privacy, which neither human rights organizations nor representative governments can afford to ignore.

GENETICS

As genetics advances as a science, its possible uses and misuses also become a human rights issue. In 2000, scientists at both the multinational Human Genome Project and a private firm announced decryption of the entire human genome. These new genetic revelations are extremely significant from both a scientific and a human rights standpoint.

Genetics has positive implications for world health. Diseases that cannot be cured today, such as cancer and AIDS, can perhaps be eradicated through the use of genetic manipulation. This same manipulation, however, can be used in ways that violate human rights. As with all new technology, control of genetics will reside within the countries which have developed it—the developed world. If genetics becomes a privatized industry, it is doubtful whether people in areas such as sub-Saharan Africa and central and south Asia, desperately in need of what genetics might produce, will be its beneficiaries. And if they do benefit from such advances, it will likely be long after the rest of the world. People in these areas might even become victims of genetic engineering.

CONCLUSION

Human rights and technology may not be mutually exclusive. Perhaps it is possible to chart a course that minimizes human rights violations and encourages free expression while allowing for technological growth. But the relationship between the interests of science and technology and the interests of human rights remains ambiguous. Vigilance against tyranny must maintain parity with the outermost technological developments if we are to uphold and expand the rights that have been guaranteed to all people.

Eric Busch

See also: Bioethics.

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Self-Determination

The right to self-determination is the right of a people to determine their own national status. Those denied the right of self-determination are usually ethnic or national minorities, living within a larger country, that would like either to be independent or to have some degree of autonomy. (Although during the decades after World War II, the main seekers of self-determination were the peoples living in colonies under European control, by 1970, most of these colonies were independent states, and the issue of colonial self-determination had virtually disappeared.) The primary motivation behind the desire for self-determination is usually nationalism.

The United Nations has declared the right to self-determination to be a basic human right. In the United Nations International Covenant on Civil and Political Rights (1976), Article 1 states: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Article 27 adds, "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

Despite these pronouncements, self-determination is a right more often denied than protected. The reason is clear. When ethnic or national minorities demand the right to self-determination, it suggests that they might wish to break away from the country in which they are currently citizens and create a new country with new borders. This would necessarily make the old, parent country smaller and weaker, and so it is something that most governments tend to resist. In those countries where there is more than one ethnic minority, perhaps even a majority of minorities, allowing each group its right to self-determination might lead to the complete destruction of the state. This is exactly what happened to the old Ottoman and Austrian Empires after World War I, and it also happened to the Soviet Union, causing its collapse in 1991.

Modern movements for self-determination vary widely, as do the reactions to them. In some cases what is desired is outright independence. The reaction to such demands is most often one of severe repression. At other times, an ethnic minority may merely wish for some form of political autonomy—meaning control over some parts of its members' civil and political lives, but usually not extending to such national elements as independent armies or foreign embassies. Sometimes, as in the cases of the Tibetans and the Kurds (discussed elsewhere in this volume), there is no consensus on what the eventual goal of self-determination may be. Some Tibetans, for instance, want outright independence; others are quite willing to settle for limited autonomy under the control of the Chinese government. This ambivalence has done little to aid the cause of those seeking self-determination. Both China and Turkey (the country where most Kurds live) have re-

acted with equally harsh repression to both those seeking independence and those seeking autonomy.

Sometimes the desire for self-determination breaks out into open warfare. The Chechens, a people living in the Caucasus under Russian control, have long considered themselves an independent people. When the Soviet Union collapsed, they declared their independence. Russia, however, refused to acknowledge their right to self-determination. For two years, from 1994 to 1996, Russian tanks and troops attempted to force Chechnya to give up its dream of independence. After much brutal fighting, which devastated most of Chechnya, the Russian troops left. Chechnya's victory was brief. In 1999, Russian troops returned to finish their conquest. Their repeated bombardments left the Chechen capital of Grozny a complete ruin, with almost no buildings left standing. The fighting continued beyond 2000, with Russia in control of Chechnya's cities and Chechen guerrillas raiding the countryside. Russia's decision to deny Chechens their right to self-determination has left a human rights disaster in Chechnya. Beyond the estimated 150,000 deaths, the Chechen war has turned hundreds of thousands of Chechens into refugees. There are some who suggest that Russian generals wish to destroy Chechnya and its inhabitants to avoid giving it up. If so, this would be genocide, a crime against humanity.

Other movements for self-determination have resulted in more sporadic violence. In the Basque sections of Spain, fighters for ETA (*Euzkadi Ta Azkatasuna*, Basque for "Basque Homeland and Liberty") have carried out a terrorist campaign of assassinations, their targets being Spanish officials and Basques who cooperate with the Spanish. Perhaps as a result of their activities, the Basques have achieved some political autonomy while still remaining under Spanish control. This seems to have satisfied most Basques' desire for self-determination. ETA, which desires full independence, continues to carry out assassinations, but has lost the support of all but the most extreme Basque nationalists.

A more peaceful resolution to the question of self-determination has taken place in Canada. There, the province of Quebec, which has a French-speaking majority, has been able to gain political and economic rights while staying within the Canadian state, which has an English-speaking majority. While there was some violence by French nationalists—particularly during the 1960s—for the most part the process of giving Quebec near-autonomy has been peaceful and has not been strongly resisted by the Canadian government. Today, most French Canadians seem satisfied with the degree of self-determination that they have achieved.

Unfortunately, the peaceful granting of the human right of self-determination to the French in Canada is exceptional. In most of the world, demands for self-determination result in violence and repression, as in Chechnya and Spain. There are dozens of simmering civil wars that result from thwarted desires for self-determination: the Tamil rebellion in Sri Lanka, the Christians in southern Sudan, the Turks in Cyprus, the Palestinians in Israel, among many others. Self-determination remains a right largely confined to powerful majorities and denied to struggling minorities.

Carl Skutsch

See also: Dalai Lama; Indigenous Peoples; Kurds; Minority Rights; Nationality and Citizenship.

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Sexual Orientation and Homosexuality

A gay activist, speaking in defense of gay rights, recently wrote that gay rights are human rights "because families are defined by love, not gender. Because hatred is not a family value. Because equal rights are not special rights." These passionate words are not yet universally accepted. The issue of homosexuality and sexual orientation is one of the more controversial for human rights advocates at the beginning of the twenty-first century. Although many writers, religious leaders, and large numbers of the general public believe that sexual orientation and homosexuality should be protected human rights, there is a long tradition of hostility to homosexuality, one that continues to this day and has led to attacks on those with differing sexual orientations.

BACKGROUND

The history of homosexuality is long, as old as that of humanity. Famous homosexual leaders in history include Alexander the Great, Richard the Lionheart, and Frederick the Great; famous homosexual artists and thinkers include Socrates, Leonardo da Vinci, Walt Whitman, Oscar Wilde, Gertrude Stein, Truman Capote, and Andy Warhol. Although homosexuality has been universal in human society, through most of history it has been condemned. Both Judaism and Christianity, for example, have traditionally considered homosexuality a sin, pointing to proscriptions in the Old Testament for justification. There have been societies in which homosexuality was openly accepted—that of ancient Greece, for example—but these have been exceptions. Many societies saw homosexuality as a crime against nature and maintained laws condemning homosexuals to imprisonment or even death.

Despite prohibitions against homosexuality, however, many societies have also tolerated homosexuals, particularly those of high social status or political importance. There was often a large difference between the legal and actual risks of homosexuality. In many societies, homosexuality was simply not discussed; its existence was an accepted secret without a label. In the nineteenth century, close friendships between same-sex couples existed and were accepted because many people did not realize they might have a sexual element—and often, of course, they did not. In the late nineteenth and early twentieth centuries, the newborn science of psychiatry defined homosexuality as a mental disorder (a position that the American Psychological Association repudiated in 1974, but is still held by many) and helped bring it into the public spotlight. (It was then that the word "homosexual" began to be used to discuss people who preferred same-sex relationships.) With the rise of awareness of homosexuality came an increase in persecution. Famous trials like that of the playwright Oscar Wilde in 1895 for indecent acts inaugurated a new period of legal and social repression in the West. People exposed as homosexuals could be prosecuted, lose their jobs, and see their lives ruined.

The 1960s saw a backlash by homosexuals angry at violations of their privacy and rights. On June 27, 1969, patrons at the Stonewall Bar in New York City fought back against an attempt by police to arrest them for indecent behavior. The event came to be known as the Stonewall Riots and marks a key date in the gay rights movement. After the Stonewall Riots, homosexuals in the United States, and soon elsewhere as well, fought for their rights, including the right to be called something other than homosexual. Feeling that the word had too much negative history, they opted instead for *gay,* when applied to men, and *lesbian,* when applied to women. As acceptance of gays and lesbians grew, other terms were added to the lexicon of sexual orientation, including *bisexual* (those who pursue sexual relations with members of both sexes) and *transgender* (meaning those who have crossed away from their gender as defined at birth). In recent years, there has been a trend among many activists to use the word *queer* as a catchall for gay, lesbian, bisexual, and transgendered people—a trend that has not been embraced by mainstream gay and lesbian organizations.

SEXUAL ORIENTATION AND INTERNATIONAL ORGANIZATIONS

Gays and lesbians face many threats to their safety, and their human rights are often endangered. They have been murdered by death squads in Brazil, fear the death penalty in many Islamic countries (Iran, Saudi Arabia), and face discrimination in most nations of the world. Only South Africa has a national constitution that explicitly forbids discrimination on the basis of sexual orientation (although many local, state, and city governments, particularly in the United States, have passed legislation protecting gays and lesbians from discrimination).

Robert Filippini and gay activist Yaroslav Mogutin attempted unsuccessfully to be married in Moscow, April 1994.

In international law, the rights of gays and lesbians are unprotected. The United Nations does not have an official policy on sexual orientation. Gays and lesbians have no special mention in the Universal Declaration of Human Rights (1948) or any other UN human rights document. There has been some sign of change in the attitude of the United Nations: in 1998, United Nations High Commissioner for Human Rights Mary Robinson (formerly president of Ireland), met with the International Lesbian and Gay Association and discussed the issue of making homosexual rights a part of human rights. Nothing was concluded, but both sides called the meeting successful.

Outside the framework of the United Nations, other multinational institutions have offered some protection to lesbians and gays. Gay and lesbian rights have always been strongest in Europe and North America, with their strong traditions of pluralistic civil societies. Organizations promoting gay and lesbian rights in Asia, the Middle East, Africa, and Latin America have faced the difficulty of overcoming cultures that have historically placed a heavy emphasis on traditional family and sex roles.

In Europe, the European Court of Human Rights has been at the forefront of granting gays and lesbians full human rights. The court, created in 1959, is an outgrowth of the European Convention on Human Rights, ratified in 1950, which itself was an attempt to give institutional substance to the United Nations Universal Declaration of Human Rights. Even though neither the Universal Declaration nor European Convention explicitly defends the rights of homosexuals, the European Court has repeatedly ruled in favor of granting homosexuals the same rights as heterosexuals in many areas. Like many courts around the world, the European Court has based its position on the strong defense of privacy contained in the European Convention on Human Rights, the argument being that interfering in activities of gays and lesbians requires interfering in their right to privacy, a universally accepted human right.

The European Parliament has joined in this stance by passing laws defending the rights of lesbians and gays to live free of persecution. The most important of these was a February 1994 resolution calling on all European countries to grant homosexuals greater legal protection. Article 10 of this resolution called "upon the Member States, together with the national lesbian and homosexual organizations, to take measures and initiate campaigns to combat all forms of social discrimination against homosexuals." All of this falls short of defining human rights as including homosexual rights, but puts Europe ahead of the rest of the world in its defense of the rights of lesbians and gays.

SEXUAL ORIENTATION AND HUMAN RIGHTS WITHIN NATIONS

Discrimination against gays and lesbians varies greatly from country to country. Toleration and acceptance are greatest in Western Europe and North America, and weakest in Asia and South America. There are exceptions to these generalizations: South Africa, under the guidance of Nelson Mandela, ratified a 1996 constitution that outlawed discrimination on the basis of sexual orientation (although in practice much discrimination continues), while Australia has been at the forefront of demanding equal rights for gays and lesbians. In 1996, the Australian minister for foreign affairs, Alexander Downer, said: "I am strongly committed to individuals having the freedom to

conduct their lives as they wish so long as that freedom does not impinge upon the freedom of others. I will carry out this commitment as foreign minister by ensuring that in its diplomatic representations abroad and in multilateral fora, Australia continues to oppose the persecution against individuals on the basis of religion, ethnic grouping, or sexual preference."

Nevertheless, despite good examples, much of the world views homosexuality as wrong and does not consider the free choice of sexual partners to be a human right. More than eighty-five countries have laws that declare sexual activity between persons of the same sex illegal. Not all of these laws are enforced—some were passed long ago and simply remain on the books—but they all serve to deny gays and lesbians their basic human rights. And, in some countries, homosexuals are prosecuted. In Romania, for example, gays and lesbians have been put in jail merely for propositioning someone of the same sex. Discrimination goes even further in some nations. President Robert Mugabe of Zimbabwe has made attacks on homosexuals part of his state's official policies. Blaming them for many of Zimbabwe's problems, Mugabe has said that homosexuals have no human rights.

In the United States, the situation is complex. The country is home to one of the world's strongest and most active movements advocating full rights for homosexuals, and gays and lesbians have made much progress. Police no longer arrest people for homosexual activity; many entertainers, and even some politicians, are openly gay; and Americans watch television and movies with positively portrayed openly gay characters. But prejudice against gays and lesbians remains widespread. From locker-room jokes to pronouncements by well-known entertainment or political figures on the nature of homosexuality, gays and lesbians face a constant barrage of attacks on their human rights. Popular radio talk-show host Laura Schlessinger is not alone when she calls homosexuality "deviant" and a "biological error." Similarly, journalist and presidential candidate Patrick Buchanan once announced that he would never hire a homosexual to serve in his cabinet because being gay is "a disorder." These people are part of a strong movement in the United States that wishes to limit or reduce the social acceptance and legal and human rights successes of homosexuals.

Legally, gays have won only limited victories. In 1986, the U.S. Supreme Court ruled that homosexual acts are not protected by the Constitution, thereby allowing some states to maintain laws that criminalized homosexual behavior. And in 1993, in a much-criticized compromise with President Bill Clinton, the U.S. military kept its anti-gay stance by endorsing a policy of "don't ask/don't tell," which supposedly protected gays in the military from being questioned as to their sexual orientation, but allowed the military to discharge them if they publicly admitted to it. The strange result has been an increase in gay soldiers being forcibly discharged from the army and other branches of the U.S. military.

Opponents of the rights of gays and lesbians attack laws giving them rights by saying that "homosexual rights are special rights" (which is also the name of an anti-gay video put out by the Reverend Louis Sheldon's conservative Traditional Values Coalition). Gays and lesbians counter by saying that all they want is human rights, not special rights, but the "special rights" slogan has helped anti–gay rights groups gain ground. While gay and lesbian organizations see the right to marry each other

or to adopt children as basic human rights, their opponents disagree. Among other actions, these opponents have managed to get more than thirty states to pass bans on same-sex marriages. (Ironically, one of the accusations hurled at gays has been that they are sexually promiscuous, yet when they wish to be monogamous and marry, conservatives oppose them.)

The high level of prejudice against gays has consequences that go beyond legal discrimination. Individuals, believing that homosexuals are bad or sick, feel authorized to take out their own hatred and aggression on gays that they meet or know. Human rights activists say that this kind of prejudice leads to killings like that of Matthew Shepard, a young Wyoming college student, who, in 1998, was tortured and murdered because he was gay. In a similar 1999 case, Billy Jack Gaither, a thrity-nine-year-old Alabama gay man, had his throat slit, was beaten badly, and then was burned by two men, one of whom, Steven Mullins, said in defense of his acts, "[Gaither] didn't need to live any longer."

Although gays and lesbians have made strides toward full human rights, they still do not have many basic rights enjoyed by heterosexuals. They are not guaranteed the right to marry each other. They are not guaranteed the right to raise children together. They are not guaranteed the right to freedom from discrimination in their place of employment. And as some brutal crimes have shown, they sometimes lack the most basic right of all: the right to life.

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See also: AIDS/HIV and Human Rights; Marriage and Family; Privacy.

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Sikhs

Khalistan is the Sikh name for the Sikh homeland, a region that India calls Punjab. A group of Sikhs declared Khalistan's independence on October 7, 1987. At that time the Council of Khalistan was designated to lead the Sikh struggle for freedom. India refused to acknowledge the Sikh attempt to declare independence.

The population of the Punjab is about two thirds Sikh. The country remains under Indian occupation. There are about 22 million Sikhs worldwide. Fifteen million Sikhs live in Punjab, and there are another three million living elsewhere in India. There are about 500,000 Sikhs living in the United States, and another half a million live in Canada. The United Kingdom about 800,000 Sikhs, the highest concentration outside India.

The Sikh religion is monotheistic. It is not a part of Hinduism, Islam, or any other religion. It was founded by Guru Nanak Dev Ji (1469–1539) in Punjab, in the late fifteenth century. Guru Nanak Dev Ji preached a simple message of devotion to the one God, the creator of the universe. He exhorted his followers to develop inner strength, spiritual awareness, and harmony between the individual self and the universal self. The Sikh religion does not believe in the caste system that is integral to Hinduism. In 1699, the last of the ten Sikh Gurus, Guru Gobind Singh Ji, instituted the Order of the Khalsa Panth. He instituted the "five Ks," the symbols of Sikhism: Kesh (unshorn hair, symbolizing a saintly and natural appearance); Kanga (a special comb for cleanliness of the hair); Kara (a steel bracelet signifying discipline and gentility); Kachh (a special type of undershorts, a sign of chastity); and Kirpan (a sword, an emblem of commitment to justice, truth, freedom, and human dignity). He proclaimed that his mission was to uphold human virtues and destroy the forces of evil and tyranny.

Punjab, or Khalistan, was not historically a part of India. Banda Singh Bahadar established Sikh rule in Punjab in 1710. Sikh rule lasted until the British conquest of 1849. Since the British annexation of the subcontinent in 1849, the Sikh nation has been struggling to regain its sovereignty. Sikhs actively participated in India's independence movement against British imperialism.

When India won its independence in 1947, three nations were to receive sovereign power. The Hindus received India, the Muslims received Pakistan, but the Sikhs were not granted sovereign status and instead were incorporated into India.

Sikhs are seeking self-determination in accordance with Articles 1 and 55 of the United Nations Charter. In violation of these international rights, Indian executive law declares it illegal for Sikhs or any minority group to advocate peacefully for the independence of their homeland. Since 1984, Sikhs who have peacefully advocated an independent Sikh state of Khalistan have risked imprisonment, torture, and even death for themselves and for their families.

The Indian government maintains that Sikhs have never supported an independent Khalistan. Yet it stations 500,000 troops in Punjab, or Khalistan, to suppress the supposedly unpopular freedom movement. India refuses to hold a plebiscite (or

vote) to decide the future of the region in a free and fair decree by the people.

At the Sikh nation's 300th anniversary celebration in Washington, D.C., in April 1999, General Narinder Singh and Justice Ajit Singh Bains, Sikh leaders from the region, said that there is no rule of law in Punjab. In July 1997, Narinder Singr, a spokesperson for the Golden Temple in Amritsar, had told an interviewer from the U.S. radio station National Public Radio, "The Indian government, all the time they boast that they are democratic, they are secular, but they have nothing to do with a democracy, they have nothing to do with a secularism. They kill Sikhs just to please the majority."

According to officials of the Punjab State Magistracy, the Indian government murdered more than 200,000 Sikhs from 1984 through 1992. A coalition of human rights groups and journalists reported that the regime killed over 50,000 more Sikhs in 1994 alone. These murders were part of an Indian government campaign to silence the voices of Sikh widows, orphans, and elders who had seen their loved ones lynched, burned alive, tortured in police custody, killed in police encounters, and terrorized by Indian police death-squads.

Amnesty International, Human Rights Watch, and other human rights organizations have documented the genocide against the Sikhs and other minorities by the Indian government. In June 1999, Amnesty International reported that thousands of Sikhs and others remain in illegal detention in India. Many of them have been held since 1984 under the repressive Terrorist and Disruptive Activities Prevention Act, even though it expired in May 1995. This law permitted persons to be held for up to two years without charge, trial, or access to legal counsel.

According to human rights groups, over 50,000 Sikhs have "disappeared." The U.S. State Department's 1999 Country Report on Human Rights Practices condemned India for "serious human rights abuses," including extrajudicial and other political killings; excessive use of force by security forces; torture; rape; and death of suspects in police custody. The 1994 U.S. State Department's Country Report on Human Rights Practices in India stated that between 1991 and 1993, the regime had paid more than 41,000 cash bounties to police officers for killing Sikhs.

The United Nations Working Group on Enforced and Involuntary Disappearances echoed these findings in its January 1998 report, "Question of the Human Rights of All Persons Subjected to Any Form of Detention or Imprisonment; Question of Enforced In-

Young Sikh allegedly tortured to death by Indian police.

voluntary Disappearances." The report stated that "all provinces have adopted the practice of not filing arrest reports or registering detentions. Since there are no records, the police are reportedly able to deny holding a detainee." It further noted that "new cases of disappearances continue to be reported to it, and that very few cases on the Working Group's files have been clarified."

The report further stated that "although there has recently been a decrease [from previous years] in incidents of police excesses in the Punjab, including disappearances, human rights workers and activists are said to be subjected to threats and abuses by members of the security forces, including disappearances." *The Hitavada,* an Indian newspaper, reported that the police murdered a three-and-a-half-year-old Sikh boy, who the police then claimed was a "terrorist" killed in an "encounter."

India has not allowed Amnesty International or other independent human rights monitoring organizations into Punjab since 1987. Because of this, news of atrocities against Sikhs emerges very slowly, sometimes months after they occur. However, through internal sources, human rights organizations have been able to document many of the Indian government's violations of human rights in the region.

James R. Lewis

See also: Self-Determination.

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Slavery

In the twenty-first century, slavery exists on an unprecedented scale. In fact, in the year 2000, over 27 million people live as slaves. Differing little from their predecessors in bondage, they serve as carpet weavers, sugarcane cutters, camel jockeys, sex slaves, and even as chattel. Chattel slavery is widely practiced in Mauritania and Sudan, and, although it is the most destructive form of slavery, other forms of forced servitude persist around the world.

Under international law the practice of slavery in all its forms is prohibited as specified under the 1948 Universal Declaration of Human Rights. Article 4 states, "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." This instrument of law is applicable to all members of the United Nations. The practice of slavery also contravenes International Labor Organization Convention No. 29, which provides for the abolition of forced labor. Article 2 (1) defines forced or compulsory labor as all work "which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." Despite these human rights declarations, slavery still goes on.

SLAVERY IN MAURITANIA

Perhaps the most shocking cases of contemporary slavery occur in Mauritania and Sudan. In contrast to Sudan, in Mauritania slavery has existed for over 700 years. Though successive governments outlawed slavery three times, as many as one million slaves still suffer in Mauritania. These slaves come from the lowest of the country's three social classes. The ancestors of these black slaves were the sole inhabitants of Mauritania until the year 1300, when white Arab-Berbers swept into the northwest African nation and seized control, enslaving the local blacks. Though most of the conquered people converted to Islam, the religion of their captors, the racial distinctions have made slavery a continued reality for the descendents of Mauritania's black population.

The Mauritanian slave system is deeply embedded in the cultural and political heritage of that nation. Arabs of every social class possess slaves to perform the routine, manual tasks required to support the household. These slaves have been told from birth that slavery is their ordained position. Many truly believe that serving their masters is their religious duty. A slave's infractions, no matter how minor, are severely punished. For trivial misdeeds, the slave might be beaten with a wet cord while naked, denied food and drink, or bound and exposed to the desert sun. More severe tortures, however, await the slave who greatly displeases his master. Such punishments might include burning coals applied to the inner thighs and genitals or the "insect treatment," which involves stuffing the miscreant slave's ears full of insects and sealing them with stones and a headscarf. The slave's hands and feet are tied, and the individual is left to suffer for several days. Often, he is reduced to insanity.

SLAVERY IN SUDAN

In 1987 non-governmental organizations reported slavery's reemergence in Sudan. Since 1992 international organizations, including the United Nations and the International Labor Organization, have issued reports on this human rights violation in Sudan. The United Nations Commission on Human Rights Resolution 1997 (59) stated that it was "deeply concerned about continued reports of slavery, servitude, the slave trade and forced labor, the sale and trafficking of children and their abduction and forced internment, often at undisclosed locations . . . ideological indoctrination or cruel, inhuman, and degrading punishments, especially but not exclusively affecting displaced families and women and children belonging to racial, ethnic, and religious minorities" from southern Sudan, the Nuba Mountains, and the Ingassema Hills areas.

The 1996 UN Special Rapporteur on Sudan, Dr. Gaspar Biro, said, "The total passivity of the government after having received information for years regarding this situation can only be interpreted as tacit political approval and support of the institution of slavery."

In 1996, the National Islamic Front–backed government of Lieutenant-General Omar Hassan al-Bashir, which had seized power from the democratically elected government in a military coup in 1989, responded to international pressure on the issue of slavery by establishing investigative committees, while simultaneously denying that it existed in the country. Today the government remains deliberately blind to the problem of slavery in Sudan.

Although there are no precise figures on the number of people enslaved in Sudan, it is estimated to be many thousands, and continuing reports confirm that slavery persists, primarily as a result of Sudan's ongoing civil war.

Slavery is not new in Sudan. Until the early twentieth century the country was an active participant in the slave trade. For centuries Turko-Egyptian traders as well as Sudanese from the north raided villages in the south, particularly those in the southwestern region of Bahr al-Ghazal, one of the main centers for slave raiding. Slavers would catch people and beat them. They would then tie them together and walk or ship them to their destinations to be sold as domestic workers, farm laborers, soldiers, or concubines in the north or abroad to Egypt, Libya, and other surrounding countries.

Influenced by the European drive to abolish slavery, Egypt, which ruled Sudan in the nineteenth century, closed the slave markets in the Sudanese city of Khartoum in 1860 and developed a military fashioned on the European model, which was not dependent on slaves for soldiers. The move to end slavery advanced in August 1877 with the adoption of the Anglo-Egyptian Slave Trade Convention, which pledged to prohibit the sale and purchase of slaves in Sudan by 1880. By the time Sudan became independent in 1956, slavery had effectively died out.

Slavery was reborn during the civil war, which began in 1983. Rebels in the south, consisting mainly of black Christians, animists, and Muslims, took up arms against the largely Arab Muslim north, which controlled the government. Fighting was brutal, and the government-assisted militias launched fierce campaigns against the Dinka, southern Sudan's largest ethnic group, in Bahr al-Ghazal Province. War and

widespread famine killed a staggering 1.5 million people, and many villagers, displaced and defenseless, became victims of a new kind of slave trader. Soldiers, officers, and militiamen loyal to the northern government conducted a massive slave trade involving black Africans of southern Sudan. The majority of those enslaved in the late twentieth and early twenty-first centuries are Dinka. As in the nineteenth century, most slaves come from the northeastern part of Bahr al-Ghazal Province, although some also come from other wartorn areas.

Women and children captured in raids have been forced to walk to southern Darfur and southern Kordofan to be used as farm laborers and domestic workers or to be sold. Unlike the wealthy slave holders of the nineteenth century, the contemporary equivalent is a small farmer owning a few dozen acres of land or a small herd of cattle or camels. Since the National Islamic Front seized power in 1989, most of the captors are government-armed militias. Members of the Popular Defense Force, a government paramilitary unit created in 1990, along with some regular army officers, are known to be involved in slave raids.

Because slaves are rarely freed with the help of police or the courts, the Dinka have developed a "retrieval committee" to free women and children. Through fundraising among the southern community in Sudan and accumulating evidence of slave catching to bring to the attention of the state government of Darfur, the committee has had several successes, including the release of 103 children who had been captured in December 1989.

In the mid-1990s, several foreign organizations started to pay "ransoms" or "redemptions" for the release of slaves. This involved paying agents to visit areas in which captives are held and secure their release, and then accompany them back to Dinka-controlled areas. This practice has been internationally criticized by a number of organizations, including Anti-Slavery International, as possibly helping to perpetuate the cycle of slavery, rather than ending it.

When the United Nations Commission on Human Rights agreed in April 1999 to abandon its criticism of "slavery" and refer instead to "abductions" and "forced labor," the Sudanese government responded by establishing the Committee for the Eradication of Abduction of Women and Children. Its mandate is to investigate reports of abductions of women and children, the causes of such abductions, and to release the women and children affected. By early 2000, it had secured some releases, but had done nothing to punish slave-holders. Thousands of Dinka still remain enslaved.

TROKOSI SLAVERY

A trokosi is a virgin girl who is dedicated (married) to a priest as a penance for a crime committed by a member of her family. The girl then spends the rest of her life as a trokosi. When she dies, the family must dedicate another virgin to the priest to continue paying for the crime, which, in some cases, was committed generations earlier. Girls are also given to the priest to please the gods, as ill fortune and sickness may have afflicted the family. The system of trokosi dates back hundreds of years. It continues today in Ghana, Togo, Nigeria, and Benin, although it is most prevalent among the Ewe people of Ghana. In 1998 the locally based non-governmental organization International Needs Ghana esti-

mated that 4,000 women were enslaved in shrines in the Volta and Greater Accra Regions of Ghana alone.

Some girls are given to the priest when they are age ten or younger. Once they are trokosi, they must farm, cook, and clean for the priest, receiving no money for their labor and depriving them of their right to an education. Their only source of income is their family, although in many cases these families are too poor to provide support.

Once the girls reach puberty, they are forced to sleep with the priest, often becoming pregnant when they are twelve or fourteen years old. The girls end up looking after their children themselves. Even though they labor for the priest, they do not receive money from him. By the time the women have reached middle age, the priest either keeps them in the shrine or allows them to leave. However, even if they leave, they are unable to remarry because they are trokosi and remain married to the priest.

The system of trokosi is illegal both internationally and in Ghana. It violates all the United Nations conventions, which apply to human rights, the right to education, children's rights, women's rights, labor rights, and marriage rights. Even though Ghana has ratified all these treaties, the practice continues, and many Ghanaian officials do little to enforce the law against the practice. Ghana is also a signatory to the African Charter on Human and Peoples' Rights, which specifies that "particular traditional practices, which are injurious to the health and well-being of a person, are abolished."

The trokosi system is not as prevalent as it was several years ago, and growing pressure has led to the release of the girls from the shrines. To gain the release of these girls and women, International Needs Ghana is paying compensation to the priests for their loss of earnings. Abolition remains difficult, however, as this system is deeply rooted in traditional belief, involving both priests who enslave girls and the families that dedicate their daughters to the shrines. As one ex-trokosi said: "I was not old, just about ten years old, when I was sent to a shrine. I asked my parents why I should leave them to stay at a different place. They gave the reason that it was understood that they have offended the fetish at our place and unless I am sent there the whole family would die and my going there would close the gate of death."

CHILD SLAVERY IN ASIA

In India, Pakistan, and Nepal, slavery primarily takes the form of bonded child labor. Though these children work in similar conditions to other child laborers, they are neither paid wages nor allowed to leave. They are, therefore, slaves. These child slaves serve in their masters' factories, usually as carpet weavers. Some children are ostensibly paid a small salary, but they rarely see it. The children report poor treatment and inadequate food. They suffer from a variety of lung diseases triggered by dust from the carpets, and their eyesight steadily declines from performing tedious tasks in dark rooms. Furthermore, the sharp instruments used in carpet weaving often mutilate the children's hands. Many of the children's masters acquired them through an underground slave trade. Slavers kidnap village children, taking them to sell on the black market in the larger cities.

Other children serve as debt-bondage slaves. Because their families are unable to pay outstanding debts, creditors take the

children as payment. These child slave laborers work for years to pay their family's debts; often, no records are kept, and their debt is never cancelled. They remain in bondage for many years. One of the best known of these child slaves was Iqbal Masih, a Pakistani carpet weaver who traveled throughout the West to tell his story. Masih was assassinated upon his return to Pakistan.

In other parts of Asia, children serve as concubines and sex slaves, kept by the owners of brothels to grant sexual favors to Western and Japanese men. These men make sex trips to certain Asian countries—particularly Thailand—to obtain pedophilic sex without significant fear of recrimination. Several hundred thousand children, some as young as eight years old, are enslaved in this way. The brothel owners control them, retain their wages, and give them only the bare essentials of survival. Like the bonded child laborers, many of those sex slaves were attained through the underground, the black market, or through debt bondage. Slave owners purchased others, however, from destitute parents, relatives, or even friends. Some children were sold or exchanged for modern conveniences, such as a television, videocassette recorder, or automobile. Other children were promised good jobs with fair wages by employment agencies.

Recently, child sex slavery in Thailand acquired an international dimension. With the worldwide growth of AIDS and other sexually transmitted diseases, Asian prostitution was in decline. To combat this trend, brothel owners started to acquire younger children to serve as prostitutes. Because these smaller children are less likely to be infected with diseases like AIDS, they are considered "safer" for the sex patrons. In order to obtain more inexperienced and younger children, Thai brothels owners now kidnap and purchase younger children from the surrounding nations of Myanmar (Burma), China, and Cambodia. Though some of the children held as sex slaves have been freed, rehabilitation has been extremely difficult. Experts say that sexual exploitation has proved even more traumatizing to children than war.

Many of today's slaves live in Africa or Asia and a large number are children, yet slavery is not exclusively limited by geography or age. It extends into the Western Hemisphere and includes people of every age and gender. In the Dominican Republic, sugar plantation workers and even police arrest Haitian men and take them to shantytowns to cut sugarcane for Dominican landowners. The masters confiscate their men's belongings and give them machetes to cut sugarcane. In order to be given even small meals of dried fish and rice, the Haitians must work in the cane fields. Though these slaves are ostensibly paid a small sum—$2.00 per ton—many of them never see this money. Escape attempts are punishable by death, forcing most Haitians to remain on the plantation throughout the sugar harvest season.

CHILD TRAFFICKING IN WEST AND CENTRAL AFRICA

According to a conference organized in 2000 by the United Nations Children's Fund (UNICEF) and the International Labor Organization on child trafficking in West and Central Africa, this region is active in the selling of children for forced labor and other purposes. The rise in the regional trade in human beings since the early 1990s is largely due to poverty, the easing

of trade and labor restrictions between countries, and rapid population growth.

Child trafficking refers to the transport of a child from one place to another, whether within or across national borders, where the trafficker experiences economic or any other form of gain resulting from this movement. This process can be described as a transaction regardless of whether money was exchanged at the time the child was handed over. In 1998 UNICEF identified several types of trafficking in West and Central Africa. These include the abduction of children for sale by traffickers at a later date, trafficking for embezzlement, whereby the trafficker places the children in employment and benefits from receipt of their wages, and "bonded placement." In the case of bonded placement the amount spent in transporting the children to their place of work, as well as that spent on maintenance is deducted from their pay, meaning that the children receive no money for their labor.

Children as young as eight years old from Benin, Burkina Faso, Ghana, Mali, Nigeria, and Togo are trafficked to Congo, Côte d'Ivoire, Equatorial Guinea, and Gabon. According to UNICEF's 1998 report on the trafficking of child domestic workers, the number of children intercepted at the Benin border rose from 117 in 1995 to 802 in 1997.

Once in the "receiver" country these children are forced to work in various fields: on agricultural plantations, in fishing, as market traders, and as domestic servants, beggars, and prostitutes. The majority of those bought and sold along these routes are young girls. Girls are preferred because they are considered less likely than boys to rebel and more suitable for domestic work. In many cases, they are also expected to move away from the family home soon after puberty.

Traffickers or brokers usually approach poor families in which parents are struggling to feed, clothe, and educate their children. The prospect of having their children learn a trade, as promised by some brokers, induces parents to give the brokers their children in return for money. In some cases, however, children are themselves tricked or abducted by the brokers. In some cases those trafficked have achieved the income or training they were promised, but this is rare and only serves to blind parents to the risks involved.

The journeys involved can be dangerous, and there have been reports of children dying along the route, particularly when traveling by sea. One child in Gabon told of running out of food and water and being forced to drink seawater.

Those who survive these brutal voyages are subjected to harsh living and working conditions at their destination. Basic food, health, sanitation, and clothing needs are not met, and sometimes the children are not paid for their labor. In addition they are vulnerable to physical, psychological, and sexual abuse.

The effect of trafficking on children is devastating. Apart from these deprivations, they are in danger of being cut off from their roots and losing contact with both their families and their culture. They are denied the fundamental rights of education and recreation crucial to their social and psychological development. Many never return home and are trafficked more than once. Even when they do manage to return to their villages, they face difficulties in adjusting.

Despite its growth there are international conventions prohibiting child trafficking that

have been ratified by most of the countries where it is found. These include the United Nations Convention on the Rights of the Child; the International Labor Organization's Convention No. 29; the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and of Institutions and Practices Similar to Slavery; and the Organization of African Unity's African Charter on the Rights and Welfare of the Child.

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See also: Child Labor; Child Pornography; Debt Bondage; Mauritania; Prostitution (Forced).

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State of Emergency

The framers of the United Nations human rights documents recognized that, during a state of emergency, authorities might need to limit certain human rights until the emergency is over. This partial suspension is usually referred to as a *derogation,* a term that refers to a treaty violation (the International Covenant on Civil and Political Rights [ICCPR] and the International Covenant on Economic, Social and Cultural Rights—both core human rights agreements—are technically treaties). Article 4(1) of the ICCPR specifies the scope of a possible derogation of human rights during such an emergency. This provision also notes that certain rights cannot be derogated and specifies that nations that officially declare a state of emergency must duly inform other nations participating in the ICCPR through the secretary-general of the United Nations.

Despite the cautious manner in which the ICCPR set limits to states of emergency, there was still concern about the way in which a government's declaration of a public emergency might be used as a pretext for abridging human rights. All too often, a state of emergency becomes permanent and even institutionalized, particularly in the case of political opponents of the ruling party who are locked up without due process. In 1969, the European Commission of Human Rights set forth more explicit criteria for determining whether a given crisis might merit the declaration of a state of emergency:

1. It [the emergency] must be actual or imminent.
2. Its effects must involve the whole nation.
3. The continuance of the organized life of the community must be threatened.

The crisis or danger must be exceptional, in that the normal measures or restrictions permitted by the Convention for the maintenance of public safety, health, and order are plainly inadequate.

The only problematic item here is the second one, which seems to imply that the whole nation must be engulfed in crisis before an emergency can be declared. Subsequent discussion has clarified that this was not the intention behind the "whole nation" criterion and that a crisis meriting the declaration of a state of emergency can exist in only one part of a country.

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See also: Derogation.

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Terrorism

On the face of it, it might appear that terrorism—the indiscriminate use of violence to achieve political ends—almost by definition involves human rights violations. This is especially clear in cases of state terrorism, in which governments employ terrorism against their own citizens.

The definition of terrorist, however, is often in dispute. German forces occupying conquered territories during World War II referred to partisan guerrillas as "terrorists." The allies saw these guerrillas—quite rightly—as freedom fighters. Not all cases of mislabeling are so clear. Terrorist or freedom fighter, the lines are not always so easy to draw as they were in World War II. How different is the situation of World War II partisans from contemporary groups like Palestinian guerrillas (also labeled terrorists) struggling against Israeli occupation forces? This is not, of course, to equate these two struggles but, rather, to make the point that terrorism admits to a certain ambiguity—an ambiguity succinctly captured in the expression "One man's terrorist is another man's freedom fighter."

Such ambiguity derives, at least partially, from a conflict between different sets of rights. This conflict, in turn, finds expression in different United Nations (UN) documents. On the one hand, the core documents of the International Bill of Rights stress the right of individuals to enjoy freedom from fear—the very hallmark of terrorism—and various UN bodies have issued formal resolutions condemning terrorism, such as the UN Commission on Human Rights in Resolution 1994/46; the Sub-Commission on Prevention of Discrimination and Protection of Minorities in Resolution 1994/18; and the General Assembly, in Resolutions 48/122 and 49/185. On the other hand, the United Nations has also strongly supported the right of peoples to self-determination (e.g., the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly in 1960), a right that appears to legitimate at least certain kinds of armed insurrections, particularly by clearly defined ethnic groups within a larger nation-state.

Such insurgencies, however, almost inevitably involve terrorist acts. Because so many of the countries that joined the UN in the decades immediately following World War II had only recently thrown off the colonial yoke, there was little support for anti-terrorist resolutions that could be interpreted as condemning nationalist movements. This was still the situation in 1972, following the Munich Olympics massacre, when Secretary-General Kurt Waldheim asked the United Nations to respond to terrorism. Because the representatives of so many member states tended to view "terrorism" as a colonialist label for anti-colonialist struggles, the most the UN General Assembly was able to agree upon was the 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents. It is no coincidence that it was a different body, representing nations with a longer history of political independence, namely the Council of Europe, that was able to ratify a Convention on the Suppression of Terrorism in 1977.

The support for revolutionary struggles diminished, however, as the emergent nations became established and began to experience their own internal insurgencies. As a consequence, international opinion shifted so that by the final decade of the twentieth century, the UN began issuing strong condemnations of terrorism—condemnations such as those contained in the resolutions mentioned earlier. However, this new consensus merely obscures, rather than resolves, the tensions between competing sets of human rights.

One suggestion for addressing terrorism is to use actions that would be regarded as war crimes in an international armed conflict as criteria for distinguishing terrorism from legitimate insurgencies. In other words, groups that confined their attacks to military targets would be freedom fighters, while groups that attacked civilians would be terrorists. This criterion, however, ignores the fact that the very nature of an insurgency consists in the fact that most insurgents simply do not have the equipment, training, or manpower to face a conventional military force. This criterion also ignores the fact that in modern warfare, civilian populations are routinely targeted—such as in the massive bombing campaigns associated with World War II and the Vietnam War—as a way of demoralizing the enemy. How different is this reasoning from the rationale behind a terrorist attack? To apply the terrorist label to small, contemporary insurgencies but not to the bombings of Dresden and suburban Tokyo during World War II, and to the bombing of North Vietnamese villages during the Vietnam War, can seem to some to be hypocritical and self-serving.

Hence, the effort to apply war crimes criteria to this issue ultimately breaks down, and it is likely that any other attempt to formulate objectivist criteria would be frustrated as well. Perhaps the paradox of terrorism is merely part of the paradox of war in general. Terrorism may be a human rights violation to the same extent that all wars are human rights violations.

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See also: War; War Crimes.

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Torture

According to the United Nations Convention Against Torture (1984), torture is "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from her or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." In other words, torture is the deliberate use of pain by a government employee for officially sanctioned purposes.

Although the Convention Against Torture defines torture and called upon all nations to prevent torture, the United Nations Universal Declaration of Human Rights had already outlawed it in 1948. Article 5 of that Declaration states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Unfortunately, the United Nations Declaration had proved to be ineffective at preventing torture, as has the more recently passed Convention Against Torture. This central human right, the right to be safe from torture, remains ignored, and every year, people around the world continue to be tortured. Some are tortured in countries with authoritarian governments, which have little respect for human rights. More shockingly, torture also goes on in advanced democracies, sometimes sanctioned by the government, sometimes allowed through inaction. And torture seems likely to continue unabated.

BACKGROUND

Torture is as old as government. The ancient Romans and Greeks both used torture. According to early Roman law, only slaves could be tortured, but eventually free people were also subject to torture. In early modern Europe, torture was commonly used to gain confessions in criminal cases. During the Enlightenment, inspired by the humanitarian ideas of the eighteenth century, Europeans began to outlaw the use of torture. By 1800, torture was almost unheard of in Europe. But in the twentieth century it made a terrible comeback—first under the totalitarian governments of Adolf Hitler and Joseph Stalin—and later spreading to the rest of the world.

Torture was not limited to dictatorships. In the mid-twentieth century, democratic France used torture in attempts to crush the Algerian and Vietnamese independence movements. (It appears that it is easier to torture those who are different from the mainstream of a society, particularly those of another race or ethnicity; blinded by racism, the torturers may not see the victims as completely human.) Likewise, democratic Great Britain used torture in its campaigns to stop Catholic resistance in Northern Ireland.

The twentieth century saw changes in the techniques of torture. While in the past the emphasis had been on inflicting raw pain, modern torturers developed more subtle methods. Sleep deprivation became one of

Man tortured by the Haitian Army, left lying in the street as an example to others, October 1988.

the favored torture methods. Police and military torturers discovered that by working in rotation they could keep a prisoner awake for days. People who have been awake for that long tend to lose connection with reality and become delusional. They may then confess the desired information. This method was called "the conveyer belt" by Stalinist torturers, and it has the advantage of causing great suffering without leaving any marks on the victim's body. Still, although the use of the conveyer belt and other psychological tools increased, old-fashioned pain infliction continued to be used by torturers around the world.

RECENT TORTURE

One of the problems with torture is defining it. Some examples of torture are clear: physical pain directly and deliberately inflicted usually qualifies as torture. But what of conditions that are horrible but do not involve the direct infliction of pain? Jamming dozens of men into a cell designed to fit only a few may not fit a dictionary definition of torture, but it surely subjects them to "inhuman or degrading treatment," to quote the Universal Declaration of Human Rights.

Sleep deprivation is not the only innovation in the field of torture. Modern torturers also use humiliation. They shower their victims with constant verbal abuse, scream in their faces, and then refuse to let them use the toilet. Soiled with their own urine and feces, the humiliated victims feel their self-esteem disappear and become willing to do anything or confess to anything their torturers desire. Also common in modern tor-

ture is the use of a bag tied around the victim's head. This serves the double purpose of having the prisoner feel increasingly alone and isolated—which can help break down resistance—as well as shielding the identity of the torturers, which they hope will prevent any legal repercussions in countries where torture is supposed to be illegal.

Another form of torture common in the twentieth century has been rape. Soldiers or militiamen rape their prisoners, usually women, as a means of humiliating them and destroying their self-esteem. The purpose of rape is rarely to gain information; it is more often part of some general campaign of intimidation, such as ethnic cleansing. During the Bosnian conflict (1992–1995), there were repeated reports of large-scale rapes carried out, usually on Bosnian Muslim women, by Serbian militiamen.

Torture does not exist only in war zones or under repressive dictatorships. In the 1980s, police departments around the United States were accused of using torture. In New Orleans, suspects had their heads covered with plastic bags and were then hit with telephone books. In New York, police used stun guns, which cause agonizing pain and burn marks, in their attempts to gain confessions from suspects.

If torture occurs in the United States occasionally, it remains commonplace elsewhere. Turkey has been constantly criticized by the international community for its use of torture in its war against Kurdish insurgents. Amnesty International claims that torture in Turkey is "routine and systematic."

Israel is another democratic country that has been accused of tolerating torture. In a well-publicized 1988 incident, a group of Israeli soldiers were ordered to arrest some Palestinian civilians, residents of a village called Hawara, and break their arms and legs. No reason was given, except the need to intimidate other Palestinians and perhaps thereby encourage them to behave better. The soldiers obeyed their orders. At a subsequent court-martial, one of the soldiers described their actions as follows: "We covered their mouths in order not to arouse provocation. We wanted to break limbs as quickly as possible and as quietly as possible. . . . The officer gave orders. . . . There were four soldiers for every prisoner. . . . After a few seconds of beating most of them stopped screaming. After a half minute of beating they were no longer conscious. We took the scarves out of their mouths, broke the handcuffs, and left the field." The Palestinians, limbs broken, were left to lie unconscious in the open field. Only one Israeli officer was court-martialed for the Hawara beatings, but he was given no prison sentence.

According to Amnesty International, more than two thirds of the world's nations use torture or something approaching torture in their treatment of prisoners. Nations that are highlighted for their particularly egregious use of torture include China, Colombia, Turkey, and Russia. In China, electroshock is used, particularly on Tibetans who resist China's control of Tibet. Tibetan monks have electric prods applied to their ears, teeth, and genitalia, causing excruciating pain. Electroshock devices are favored by torturers because, if used properly, they tend to leave few if any marks.

Amnesty International has also alleged that the use in the United States of electroshock devices and pepper spray to punish prisoners is tantamount to torture. The group draws a line here between the use of such devices to subdue someone who is unrestrained and a possible threat and the use of these devices on prisoners who are handcuffed or tied onto a chair and is therefore

no threat to anyone. In the latter case, the only reason for the pain is punishment, and therefore it qualifies as torture.

TORTURE JUSTIFIED

Governments always find reasons to justify torture. In the 1970s, British government officials denied that suspected Irish guerrillas had been tortured, but admitted that they had been subjected to "rough" treatment. The officials justified this not-quite-torture by saying it was necessary to fight the evil of terrorism. Many people, fearful of Irish Republican Army bombs, were willing to accept this argument. Better that someone else be tortured, their thinking went, than that I risk being bombed, even though I should know that sometimes the wrong person, an innocent person, is caught and tortured. The same blinkered attitudes supported the French policy of torture in Algeria in the 1950s and the American use of torture in Vietnam in the 1960s.

During the cold war, many Americans accepted that extreme methods, including torture, might be necessary to fight the threat of communism. In 1946, the American military established the School of the Americas in Georgia, the purpose of which was to train Latin American soldiers in counter-insurgency methods so they could better oppose leftist guerrillas in their own countries. One of the techniques taught by the school's American instructors was torture. The school became infamous in the 1970s and 1980s for training soldiers from Central and South American countries to use all possible means to suppress their opponents. The Defense Department eliminated torture from the curriculum in 1991 and, in 2000, renamed the school the Defense Institute for Hemispheric Security Cooperation.

THE TORTURER

Individuals justify their role as torturers in differing ways. Usually they are not responsible for giving the orders to torture and so can pass the blame to those in authority above them. On the other hand, those in authority can feel less guilty because they themselves are not actually carrying out the torture. A lengthy chain of command makes torture much easier for all the participants.

Torturers are usually portrayed as evil fiends, but most are ordinary people who see themselves as merely doing their jobs. Their victims were guilty, or might be guilty, and it was their job to discover the truth, or punish, or do whatever else they were told.

The idea that only evil men can commit torture was dispelled by the 1960s experiments of Stanley Milgram, a Yale psychologist. Milgram approached ordinary men on the street and asked them to apply electric shocks to other men if they failed to answer certain questions correctly. Most of the men complied, even when their victims were screaming in pain. (The pain was simulated; there were no real shocks given, but the men applying the shocks in the experiment did not know this.) The subjects were not guards, soldiers, or law enforcement personnel; rather, they were ordinary men who had received no special orientation that might have made them insensitive to the treatment of prisoners. Milgram later experimented on women, with equally disturbing results. Milgram's experiments suggested that many people are capable of inflicting torture.

CONCLUSION

Torture is an extreme violation of a person's human rights, perhaps the most extreme

violation short of murder. Instinctively most people recognize the inherent inhumanity of torture. It is a universally accepted violation of human rights, and yet it continues, causing incalculable damage to countless victims. The victims suffer during the process; and then they and their families spend years trying to recover from the psychological scars. Until torture is outlawed in practice as well as in theory, this suffering will continue.

Carl Skutsch

See also: Apartheid; Genocide; Kurds; Martin Luther King, Jr.; Universal Declaration of Human Rights; War; War Crimes.

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Totalitarian Ideologies

Governments that follow totalitarian ideologies seek complete control over the lives of all individuals living in a society. The word *totalitarism* was coined in the twentieth century to describe systems such as fascist Italy, Nazi Germany, and the Soviet Union. Totalitarian states are usually distinguished from mere authoritarian states by the degree of control they seek to gain.

Authoritarian states—traditional dictatorships—merely wish to maintain a monopoly of political authority; what their citizens do in their private lives is unimportant to traditional dictators. Totalitarian states wish to control ever aspect of their citizens' lives. There is no "private" in a totalitarian society. Motivated by an ideology which they deem more important than anything else—whether it is Adolf Hitler's belief in the destiny of the master race, or Joseph Stalin's belief in the inevitable spread of communism—they are willing to sacrifice everything, particularly the rights and lives of their citizens, to achieve their goals.

HISTORY

Benito Mussolini was the first of the twentieth-century totalitarian leaders. In the gloom following World War I, he organized an Italian political party he called the *Fasci di Combattimento* ("group of fighters"). It was dedicated to bringing pride back to the Italian people after the humiliations of the war. Mussolini emphasized the importance of loyalty to the nation, strength, and unity. He ridiculed democracy as being weak and ineffectual, while he attacked communism (which was on the rise in the 1920s) as being a threat to national unity. Backed by crowds of violent supporters, Mussolini came to power in Italy in 1922.

The transformations he made of Italian society were largely unplanned. He had prepared no blueprints in advance for his future fascist state. Nevertheless, Mussolini's dictatorship would become the model for the other totalitarian systems. He outlawed all other political parties, declaring the Fascist Party to be the only legal party. All organizations, public or private, were forced to put themselves under state control or supervision. As Mussolini put it, "All within the state, none outside the state, none against the state." Under this system, the individual existed to serve the state.

This central philosophical attitude of fascism—which it shares with all totalitarian ideologies—is directly opposed to the traditions of personal liberty that grew out of the European Enlightenment. Seventeenth- and eighteenth-century writers, such as John Locke, Voltaire, and Thomas Jefferson, emphasized the rights of the individual. In their eyes, the purpose of the state was to serve the needs of the individual. Fascism and other totalitarian ideologies argue the opposite. And because the state is more important than any person under its control, concepts such as private life and individual rights are discarded.

Although Mussolini was the first modern totalitarian leader, he was surpassed in ruthlessness by two other twentieth-century totalitarian dictators: Adolf Hitler and Joseph Stalin. Hitler's Nazi Party, which came to power in 1933, was similar to Mussolini's Fascist Party, in that it emphasized

nationalism and duty of the individual to serve the state. Nazism, however, also incorporated a belief in the racial destiny of the Germans and the necessity of destroying their racial enemy, the Jews. These beliefs, combined with the total control Hitler and the Nazis gained over Germany, led them to kill 6 million Jews during World War II, as well as millions of other people whom they deemed racially unfit.

Stalin, on the other hand, was not a nationalist or a racist; he claimed to be a communist and to be serving the will of the working people of the Soviet Union. In reality, however, Stalin's Soviet Union was closer in spirit to Nazi Germany than it was to the ideas of Karl Marx. Like Hitler, Stalin, who ruled the Soviet Union from the 1920s until his death in 1953, used his secret police to hunt down enemies—or people he thought might be enemies—herd them into camps, and kill millions of them.

HUMAN RIGHTS SIGNIFICANCE

At the beginning of the twenty-first century, it is difficult to point out many true totalitarian states. North Korea almost certainly qualifies; Saddam Hussein's Iraq may; and many would also call Fidel Castro's Cuba totalitarian. However, even though totalitarianism is not the threat that it once was, its ideas are constantly being borrowed by other oppressive regimes to enforce their rule and abuse their people.

Perhaps the most important element in totalitarian systems is the secret police, and the twenty-first century is still filled with countries who use secret police to enforce government control. The use of torture also

Giant mural glorifying Saddam Hussein at the Saddam Airport in Baghdad.

remains widespread, and not just in dictatorships. Democracies like Israel have been accused of torturing prisoners in the name of state security. Others, like the United States, in the name of fighting against terrorism or high crime rates, have passed laws reducing the defense of individuals against state prosecutions and death penalty convictions. An element of totalitarianism exists anywhere the state begins to excessively intrude into the lives of its citizens.

George Orwell, the British novelist, wrote in his novel *1984* that if totalitarianism took over our world, the future would look like "a boot stamping on a human face—forever." Reality might be more prosaic; rather than being dominated by evil dictators, there is the risk that we might gradually allow the state to take away our human rights out of our fear of other dangers. In the 1950s and 1960s, Americans looked the other way as the FBI and other federal agencies used illegal methods to track people they considered subversive. In South Africa, well-behaved middle-class whites pretended not to know what the police were doing to black prisoners in the name of apartheid—just as well-behaved, middle-class Germans looked the other way when Hitler's police took away Jews to be murdered. This was all done in the name of the state, and few people, even democracies, wish to oppose the power of the state. After all, when U.S. President John F. Kennedy said in his inaugural address in 1961, "Ask not what your country can do for you—ask what you can do for your country," the same words might have been twisted by the likes of Mussolini and other totalitarians, all by way of saying that the state is more important than the individual.

Carl Skutsch

See also: Freedom of Expression; Habeas Corpus; Torture.

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Trade Unions

Unless human rights are fully respected, there will be no just, safe, and democratic world. Implementation of a comprehensive rights policy contributes to a social and economic world order that meets the basic needs of people, to world peace and security, and to equitable development. Free trade unions and democratic civil organizations can operate effectively and reinforce the fabric of civil society only in an environment in which fundamental human rights can be practiced. Trade union freedom is an inalienable human right.

Basic trade union rights are essential for trade unionists to do their jobs. The International Confederation of Free Trade Unions (ICFTU) has long insisted on the following rights in all countries:

"All workers, without distinction, must have the right to establish and, subject only to the rules of the organisation concerned, join organizations of their own choosing without prior authorisation.

"Trade unions must be able, without any interference from employers and the public authorities, to draw up their constitutions and rules, elect their representatives in full freedom, organize their administration and activities and formulate their programs."

"Trade unions must not be liable to dissolution or suspension by administrative action.

"Trade unions must be free to establish and join federations and confederations which, in turn, have the right to affiliate to international trade union organizations.

"Workers must have adequate protection against acts of anti-union discrimination regarding their employment, and trade unions must be protected against any acts of interference by employers in their establishment, functioning, or administration.

"Trade unions must be able to bargain collectively to regulate terms and conditions of employment and all other matters affecting workers' livelihoods.

"Workers and their trade unions must be able to take strike and other industrial action."

The variety of cases cited in the ICFTU's Annual Survey of Violations of Trade Union Rights shows that major attacks on trade union rights have increased in number in the past decade as a free market anti–trade union climate spreads through the post–cold war world. Unprecedented violations are taking place, both of individual workers' rights and those of the labor movement as a democratic institution. Long-established universal principles of freedom of association and collective bargaining contained in national and international jurisprudence are once more being challenged or merely ignored in an ever-widening number of countries on all continents. The number of violators in the 1990s expanded sharply, reaching nearly 120 states in the 1999 survey's analysis.

Just as the most repressive dictatorships appear to be on the decline, a new trend is generating a more subtle and often more effective repression of trade unions. This involves a growing transfer of influence to free-market forces and the large financial trusts that control them, often with the collaboration of local political elites. Labor is again becoming a commodity, workers are being denied basic rights, and trade unions are seen merely as obstacles to the free market.

Pressures resulting from politicians' chronic mismanagement of national economies are also taking a heavy toll on workers and their unions, as are the demands made by the World Bank and International Monetary Fund for socially unbalanced structural adjustment programs. However, far from being a barrier to development, strong trade unions are an essential counterweight to the power of capital contributing to balanced economic development and thus the growth of the international economy.

HUMAN AND TRADE UNION RIGHTS VIOLATIONS

Murder has become an all-too-frequent fate for trade unionists, with some 200 to 300 victims annually. In Colombia, workers are assassinated by leftist guerrilla groups and drug traffickers as well as by the authorities. In Algeria, blind terrorism strikes down workers' leaders, journalists, and many others in the population. Intimidation has recently cost the lives of unionists in numerous countries. In South Africa, long one of the worst cases, the rights situation has vastly improved since the introduction of majority rule.

The international free labor movement is combatting horrendous acts of violence occurring every day against individual unionists, including beatings, death threats, kidnappings, sexual harassment, arrests, imprisonment, and dismissals. Strikes and protests broken up by police and company thugs injure thousands of workers annually. These are common events in many parts of the world. Dismissal from employment is a frequently used means of intimidation, with at least 50,000 to 75,000 cases reported yearly.

In addition to these shocking violations of individuals' rights, a gravely disturbing trend is the upsurge of collective rights violations committed against trade unions. Workers' most basic right to organize in trade unions is still blatantly denied, often by law, in a number of countries, including Myanmar (formerly Burma), Saudi Arabia, Equatorial Guinea, Bahrain, Oman, Qatar, and the United Arab Emirates. In others, such as Cuba, Vietnam, Iran, Libya, Iraq, Syria, Sudan, North Korea, and China, so-called trade unions exist but serve merely to transmit the orders of the state to the workers. The shift toward democratization in Central and Eastern Europe and Africa has shortened this list of countries in recent years. Direct government interference violating trade union rights is common and on the increase. An even more threatening long-term danger to the labor movement is the growing tide of legal barriers that outlaw trade unionism.

Extensive restrictions on and violations of freedom of association contained in the ICFTU Annual Survey clearly illustrate the extent of the trade union rights struggle taking place in developing, transitional, and industrialized countries alike. The gravity and pervasiveness of threats to trade union rights underline the critical importance of the international labor movement's task for their defense and promotion. If left unchallenged, the erosion of basic workers' rights will lead to the decline and possible collapse of labor movements in many countries.

James R. Lewis

See also: Labor.

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Trials

Trials are at the center of the struggle for human rights. Most important, they are the arenas in which justice is served. Laws provide theoretical protection of justice and human rights; judges and the judicial systems organize this protection, but it is during trials that human rights are directly protected. And because many trials are open to the public, the degree of justice characterizing trials in a country is perhaps the best public evidence of the success or failure of human rights in that country.

Human rights issues and trials are linked in two areas. First, properly conducted trials are the best tools for defending the rights of a person indicted for a crime. Second, a trial is where the perpetrator of human rights abuses can be brought to justice. How effective a legal system is at achieving these twin goals in trials helps determine its effectiveness at protecting human rights.

PROTECTING THOSE ON TRIAL

The balance of power between the government and most individuals is inherently uneven. The state consists of the legislators

Three Kurds on trial, charged with speaking Kurdish during a meeting.

who make the laws, the courts who adjudicate them, the police who enforce them, and the prosecuting attorneys who defend them. If the state abuses this massive power, the individual is almost helpless. The best defense against state legal abuses is fair and open trials. International law clearly recognizes this. Article 11 of the United Nations Universal Declaration of Human Rights states that "everyone charged with a penal offense has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense."

The key elements in a fair trial are publicity, openness, and fairness. A public trial allows relatively impartial witnesses—the public and the press—to act as watchdogs to prevent abuses. Public scrutiny does not guarantee justice, but it makes government-sponsored injustice more difficult. Fairness requires that the accused be given access to legal representation, and fairness demands that, if he or she is unable to pay for such representation, the state will provide funds to pay for a defense attorney. Fairness also requires that trials be moderated by an impartial judge or panel of judges who ensure that a defendant's human rights are not being violated.

How well human rights are served in trials varies greatly from country to country. The legal systems in the democracies of Western Europe and North America provide generally fair trials, with some exceptions. Trials are almost always open to the public, most judges are presumed to be impartial, and defendants are provided with legal counsel. The rich can pay for better legal advice than the poor, and the prosecuting attorneys usually have more resources than their defense counterparts, but these inequities are not so great as to result in gross violations of human rights. (The United States has come under harsh attack in recent years for the poor legal defense given to many of those on trial in capital cases—a majority of whom are poor and black.)

In the rest of the world, trials are often much less fair. In many countries, defendants have no access to legal counsel; in others, such as China, defense attorneys are sometimes clearly on the side of the state, rather than the defendant. In many Third World countries, corruption is a constant problem during trials. Judges and juries can be bribed and bought, and justice goes to the highest bidder. In Indonesia, a Supreme Court clerk was caught on tape saying, "If you give us 50 million rupiah but your opponent gives us more, then the case will be won by your opponent." In Iran, many trials are kept entirely secret from the public, preventing any sort of outside criticism, and the legal aid provided to defendants is minimal.

PROSECUTING HUMAN RIGHTS ABUSERS

In addition to protecting the human rights of those indicted for crimes, trials can also be places where human rights abuses are prosecuted. Increasingly, since the 1990s, courts around the world have broadened the scope of their activities in attempts to bring human rights criminals to justice.

The modern tradition of human rights trials begins with the Nuremberg trials of Nazi war criminals following World War II. The Nazi leaders were accused of committing crimes against humanity, against the basic human rights that all people share. Because their acts were legal in Nazi Germany, their crimes—exterminations, deportations, and genocide—were judged according to a higher standard, above that of national law. The trials, which took place

in 1945 and 1946, sentenced twelve of the Nazi leaders to death by hanging, three to life imprisonment, and four to moderate prison terms. The trials set the precedent that human rights criminals could and should be prosecuted. There was a higher law, above national law, to be obeyed.

More recently, war crimes trials have been convened in response to the Bosnian conflict, which resulted in the death of some 200,000 men, women, and children in the 1990s. In 1993, in response to reports of human rights crimes, the United Nations established an International Criminal Tribunal for the Former Yugoslavia (ICTY). Based in The Hague, Netherlands, the ICTY was authorized to indict leaders responsible for crimes against humanity. Many Bosnian leaders, mostly Serbs, were convicted of the crimes against humanity of genocide and "ethnic cleansing." During the 1999 Kosovo crisis, Yugoslavian president Slobodan Milosevic was indicted by the tribunal for human rights crimes against the Albanian people. Although it is unlikely that he (and other senior Serb leaders) will stand trial, the tribunal's work has gone some distance toward demonstrating that human rights crimes will be not be ignored.

CONCLUSION

Trials are the essential center of the struggle for human rights. In all countries, fairly and openly conducted trials are necessary to protect the rights of those indicted for crimes. In cases of war crimes and other human rights violations, trials can bring the guilty to justice, or, at least, bring injustice to the attention of the world.

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See also: Police and Law Enforcement; Prisons; Victims' Rights.

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United Nations

The United Nations was founded in 1945 with two purposes in mind: first, to prevent another war like World War II, which had just ended; second, to attempt to make the world a better place for all of its citizens. Both goals have their roots in the assurance of human rights. War is perhaps the most lethal enemy of human rights: even when fought according to the laws of war, it results in horrors. But even without war, the world in 1945 was a far from perfect place, and the leaders who drew up the United Nations Charter hoped that the organization could play some role in spreading the idea and practice of human rights around the globe.

The idea of the United Nations grew out of the League of Nations. The League was established in 1919 in the aftermath of World War I. Its creators hoped that it would be a place where nations would gather to solve their problems and thus avoid war. Instead, the League, lacking the support of many of the world's largest countries (including the United States), watched helplessly as World War II broke out.

The United Nations was designed, its founders hoped, to avoid the mistakes of the League of Nations. It was created in discussions between the great powers—the United States, the Soviet Union, Great Britain, and China—and held its first meeting in San Francisco in April 1945. The UN Charter, unlike that of the League, actually gave it some power and authority to intervene when human rights were threatened. The decision to intervene was shared by two bodies: the General Assembly, in which each country gets one vote, and the Security Council, whose fifteen members decide, among other things, whether or not the United Nations should use force to stop a conflict or end a human rights catastrophe.

THE GENERAL ASSEMBLY

It is the UN General Assembly that has been most responsible for advancing the cause of human rights in international law. Over the years, the General Assembly has appointed subcommittees charged with discussing a particular issue and, when this was concluded, bringing a proclamation, statement, or declaration before the entire Assembly. The General Assembly then votes on the document, and if the document is accepted, it becomes a part of international law. The General Assembly, therefore, has been responsible for passing the various declarations that provide the legal defense of human rights in international law.

Of all the human rights documents passed by the General Assembly, the most important is the United Nations Universal Declaration of Human Rights. This document, passed by the General Assembly in 1948, grants all people of the world the same human rights and freedoms. Recognizing the historic nature of the Declaration, the Assembly called upon all nations "to cause it to be disseminated, displayed, read, and expounded principally in schools and other educational institutions." (This has not always been done, so there are

The General Assembly chamber at the United Nations.

schoolchildren all over the world who have never heard of the Universal Declaration of Human Rights or the rights that it grants them.) In the Declaration's preamble, the Assembly cites past "disregard and contempt for human rights [that] have resulted in barbarous acts which have outraged the conscience of mankind." This reference to the horrors of World War II—the Holocaust of European Jews and others being perhaps the most heinous—demonstrated the determination of the Declaration's framers to ensure that human rights would never again be so abused.

The body of the Universal Declaration of Human Rights defends the rights that had grown to be accepted in the Western world as universal: the right to life and liberty, the right to free speech, freedom from slavery and torture, the right to democratic representation, freedom from discrimination, and the right to a fair and open judicial process. All too often the words of the Declaration have been ignored.

In addition to the Universal Declaration of Human Rights, the General Assembly has passed other important and supplementary human rights documents. Among these documents are the Convention on the Prevention and Punishment of the Crime of Genocide (1948); the Declaration on the Rights of the Child (1959); the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (1963); the

International Covenant on Economic, Social and Cultural Rights (1966); the International Covenant on Civil and Political Rights (1966); and the Declaration on the Elimination of Discrimination Against Women (1967).

INSTITUTIONS

There are a few UN institutions that make human rights their central focus. The most important of these is the United Nations Commission on Human Rights, established in 1946. The Commission is a leader in defining human rights and bringing human rights abuses to the attention of the General Assembly, the Security Council, and the world. Its leader, the High Commissioner for Human Rights, is usually the UN's spokesperson on human rights issues. The current High Commissioner, Mary Robinson, former president of Ireland, has been a strong human rights advocate, both before becoming High Commissioner and during her tenure in office. In 1999, speaking of the human rights horrors still being inflicted on civilians in war, Robinson said: "Civilians are no longer just victims of war—today they are regarded as instruments of war. Starving, terrorizing, murdering, raping civilians—all are seen as legitimate. Sex is no defense nor is age. . . . That is a strange, terrible state of affairs in the year after we commemorated the fiftieth anniversary of the Universal Declaration of Human Rights."

Also central to the UN's fight for human rights is the United Nations Educational, Scientific and Cultural Organization (UNESCO). UNESCO, as its name suggests, focuses on educational initiatives. It is therefore in the forefront of the fight against such human rights abuses as racism, discrimination against women, and the free flow of information (with a recent emphasis on access to the Internet).

THE SECURITY COUNCIL

If the United Nations consisted only of the General Assembly, the Commission on Human Rights, and UNESCO, human rights might be one of the institution's top priorities. But the United Nations was not created solely to defend human rights; it was also designed to be a diplomatic negotiating and problem-solving institution, and those roles are dominated by the Security Council, which is perhaps the most important and powerful body in the United Nations.

The Security Council has fifteen members, and five of them are permanent members: the United States, Russia, China, France, and the United Kingdom. Any of these five has the power to veto a Security Council decision. Since the Security Council is the part of the United Nations responsible for authorizing the use of force, no military action in defense of human rights can be taken without its agreement. That means that any one of the five permanent members can stop a United Nations–proposed human rights intervention.

This dynamic in the United Nations has prevented many military interventions for human rights purposes from occurring. Countries like Russia and China, in particular, are reluctant to authorize humanitarian interventions into other countries—even countries blatantly violating the Universal Declaration of Human Rights—because they have their own internal human rights problems (Russia in Chechnya, China in Tibet), and they do not wish to create a precedent that might encourage intervention and violation of their own sovereignty. For example, the United Nations was unable to reach a consensus on the use of military force to

stop the genocidal behavior of the Serb militias in Bosnia, so the slaughter continued until the intervention of NATO forces in 1995. Similar Security Council reluctance was apparent in other recent human rights crises, including those in East Timor, Kosovo, and Iraq.

Although the United Nations as a whole is dedicated to protecting human rights, the five permanent members of the Security Council, who have a monopoly on military decision making, are also interested in protecting the interests of their own countries. And without the use of force, the only pressure the United Nations can bring to bear on governments that violate the human rights of their citizens is moral suasion. This is often not enough.

CONCLUSION

Some critics are extremely hostile to the United Nations. Books like William Jasper's *Global Tyranny* claim that the United Nations is bent on creating a world government that will take away all people's rights. They talk about secret airbases from which black helicopters roam the countryside preparing for a UN occupation of the United States. Those who believe these fantastic stories tend to cluster on the right of the political spectrum, but some of their suspicion has trickled into the mainstream, particularly in the United States. Some Americans remain suspicious of the United Nations and reluctant to support its ac-

A demonstration outside the United Nations calling for Sikh independence.

tions. In terms of its ability to achieve its goals of keeping the peace and spreading human rights, however, the United Nations is far less powerful than its opponents claim.

The United Nations is a symbol and a voice of morality, with the weight of world opinion standing behind its human rights proclamations. It gives human rights advocates around the world a standard to aspire to and an authoritative body to appeal to. But without the support of the world's largest nations, particularly the five permanent members of the Security Council, the UN's ability to protect human rights and prevent human rights abuses is quite limited.

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See also: International Law; Universal Declaration of Human Rights.

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Universal Declaration of Human Rights

Passed unanimously by the General Assembly of the United Nations (UN) on December 10, 1948, the Universal Declaration of Human Rights (UDHR) is the foundation of contemporary international human rights law and the touchstone of the global human rights movement. The UDHR, which proclaims itself to be a "common standard of achievement for all peoples and all nations," consists of a Preamble together with thirty articles. It was intended to provide an authoritative interpretation of the clauses contained in the UN Charter (1945), under which member states commit to "take joint and separate action," to promote, "universal respect for, and observance of, human rights and fundamental freedoms for all without discrimination as to race, sex, language, or religion." While not legally binding on member states of the UN, the UDHR has attained the status of customary international law. The UDHR comprises the first part of the International Bill of Human Rights, along with the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, binding treaties that came into force in 1976. The UDHR has provided a model for many subsequent international and regional human rights treaties and conventions, and elements of the UDHR have been incorporated into the national constitutions of many nations. Hailed as the "international Magna Carta" by Eleanor Roosevelt, the former American First Lady who chaired the Human Rights Commission that drafted it, the UDHR is regarded as the twentieth century's most important human rights document. December 10 is celebrated internationally as Human Rights Day.

RIGHTS

The tradition of presenting the ethical and legal claims that citizens may lodge against their rulers in terms of declarations of rights began with the Magna Carta (1215), and continued through the English Bill of Rights (1689), the American Declaration of Independence (1776) and Bill of Rights (1791), and the French Declaration of the Rights of Man and of the Citizen (1789). Like these earlier documents, the UDHR presents a conception under which certain basic interests, powers, and liberties of individual persons are held to be inviolate in the face of state authority. While the idea of individual rights trumping government authority was not a new one when the UDHR was written, it did nevertheless incorporate significant differences in emphasis and treatment of rights than these earlier documents. In particular, the UDHR is more egalitarian and somewhat less individualistic than earlier standards; it eschews any culturally particular philosophical or religious underpinnings; it recognizes economic, social, and cultural rights not found in earlier statements of rights; and, most significantly, it was intended to provide an international standard by which to judge the performance of all governments, rather than just a national standard for a particular country.

The egalitarian and universal nature of the UDHR is seen clearly in Article 2, which

Rally at the United Nations to celebrate the fiftieth anniversary of the Universal Declaration of Human Rights, December 1998.

states: "Everyone is entitled to all of the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." Nearly all of its thirty articles and their subclauses begin with words such as "All human beings," "Everyone, " or "No one." However, Article 16(3) departs from this pattern and states: "The family is the natural and fundamental group unit of society and is entitled to protection by society and the State." The Preamble speaks of the "inherent dignity and of the equal and inalienable rights of all members of the human family," but the UDHR carefully avoids any reference to the Enlightenment philosophical notions that human rights are "God-given" or that they arise from any particular conception of the state of nature, natural law, reason, or contract. Instead, the Preamble alludes to "barbarous acts which have outraged the conscience of mankind," a reference to the Nazi Holocaust, and Article 1 simply states: "All human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood," without attempting to say exactly what "dignity" is or from whence these rights arise. Articles 3 through 21 codify traditional individual civil, judicial, and political rights, many of which can be found in earlier rights documents. However, Articles 22 through 27 represent a significant departure from earlier rights statements in that they recognize economic, social, and cul-

tural rights, rights to economic security, to free choice of employment, and to education, among others. Article 28 states: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized," a clear indication of the international scope of the Declaration. The particular rights identified by the UDHR are stated in broad peremptory terms, and without significant qualification, however, Article 29(5) presents a general circumscription clause under which the exercise of the rights and freedoms set forth in the preceding clauses, "shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society." Part ethical standard, part legal code, and part political compromise, the UDHR represents the first serious attempt to cast the modern doctrine of human rights in terms that are truly universal.

HISTORICAL BACKGROUND

The UDHR was the culmination of seventy years of attempts to create a framework under which governments could be held accountable under international law for their performance in the field of human rights. In the nineteenth century, the states comprising the Concert of Europe signed the Congress of Berlin in 1878, which was intended to secure the peace in Europe and which also provided for diplomatic and, if needed, military intervention, in order to protect the religious freedom of the Christian minorities residing within the Ottoman Empire. The treaty, however, did not prevent the outbreak of World War I in Europe in 1914, nor did it prevent the genocide of the Armenians in 1915.

Despite this lesson, when the victorious powers set down the articles of the League of Nations Covenant in the Treaty of Versailles in 1919, the term *human rights* did not appear in it. The Treaty of Versailles did, however, contain two provisions that portended the later development of the international law of human rights: Article 22 established a mandate system, placed under the "guarantee of the League of Nations" to administer the former colonies for the defeated powers, which required their new governors "not to discriminate against protected minorities and to grant them special rights necessary for the preservation of their ethnic, religious, or linguistic integrity." Article 23 dealt with "fair and humane conditions of labor for men, women, and children" and established the International Labor Organization (ILO) to monitor compliance.

While the League of Nations did much good work during its early years and provided a model for the United Nations, it was undermined by the unwillingness of the great powers—including the United States, whose Senate never ratified the Treaty of Versailles—to relinquish sovereignty to an international organization. The "minorities system" envisioned by the League covenant did, however, plant the seed of the idea of international human rights, in particular, in the mind of a Russian jurist by the name of Andrei Nicolayevich Mandelstam (1869–1949). Mandelstam emigrated to Paris after the Bolshevik Revolution and in 1921 set up a commission to study the protection of minorities clauses. He was soon joined by Antoine Frangulis (1888–1975), a Greek jurist and diplomat, and together these two law professors began teaching and writing articles, arguing that the minority protection clauses of the 1919 Treaty

should be generalized into a worldwide convention applying to all nations and all people whether they belong to a minority or a majority. On October 12, 1929, their Commission of International Law published a "Declaration of the International Rights of Man" consisting of a Preamble and six articles, but it attracted little notice. After Adolf Hitler came to power in 1933, Germany withdrew from the League. In 1936 Nazi Germany seized the Rhineland and denounced the Treaty of Versailles, and in 1938, when Hitler seized Austria and was appeased, the League of Nations collapsed. Shortly thereafter, with the Nazi invasion of Poland on September 1, 1939, World War II began.

WORLD WAR II

It was only weeks after the beginning of World War II that the idea of international human rights was revived and given new salience by the famous science fiction writer Herbert George Wells (1866–1946). On October 23, 1939, Wells wrote a letter to the *Times* of London in which he asked, "What are we fighting for?" and answered his own question by declaring it was for "the Rights of Man." Wells subsequently drew up his own "Declaration of Rights" and had it published in the *Daily Herald* from February 5 to 24, along with comments by distinguished persons, and the entire series was later turned into a Penguin Special Edition and translated into ten languages. Wells also sent correspondence about his Declaration of Rights to U.S. President Franklin D. Roosevelt (1882–1945), as well as to other world leaders, including Jan Masaryk, Chaim Weitzman, and Jan Christian Smuts.

In January 1941, President Roosevelt gave his famous "Four Freedoms" speech to Congress, in which he declared: "In future days, which we seek to make secure, we look forward to a world founded on four essential freedoms: freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear." Roosevelt hoped that international solidarity and a concern for human rights would motivate the American people, and a Congress gripped by neoisolationist sentiments, to unite with the Allies against the forces of fascism in Europe. However, America only entered the war eleven months later, following the Japanese bombing of Pearl Harbor.

THE UNITED NATIONS

World War II provided abundant evidence of the need for an international security system to succeed the failed League of Nations. In January 1942, fifty-one nations signed the Declaration of the United Nations. As the war drew to a close, the "Big Four Powers" (the United States, the United Kingdom, the Soviet Union, and China) met at Dumbarton Oaks to work out an agreement on the shape of the proposed organization, and at Yalta in 1945, Roosevelt, Churchill, and Stalin worked out some remaining issues. During the war, Wells' idea that the protection of human rights was a major war aim had caught on; several commissions were set up, and new scholarship developed the idea further. In particular, the American Law Institute published a "Statement of Essential Human Rights" in 1944, which later became a principal source used by John P. Humphrey, when, in 1947, he drafted the Secretariat Outline that inspired the original text of the Universal Declaration of Human Rights. However, there was no mention of human rights in the Dumbarton Oaks proposal.

The fact that the final text of the UN Charter did contain language committing the new organization to the goal of promoting universal respect for, and observance of, human rights and fundamental freedoms is generally agreed to be the result of zealous lobbying by a determined group of unofficial people's delegates who attended the Charter conference in San Francisco in the spring of 1945. A group of these "consultants," representing various non-governmental organizations, including Clark Eichelberger of the American Association for the United Nations, Robert Watt of the American Federation of Labor, Joseph Proskauer of the American Jewish Committee, and Walter White and W. E. B. Du Bois of the National Association for the Advancement of Colored People, formed an ad hoc committee headed by James Shotwell of Columbia University and the Carnegie Endowment for International Peace and drew up a letter urging then U.S. Secretary of State John Stettinius to introduce amendments to the Charter concerning human rights. He agreed to do so on May 2, 1945, and then, during the next several days, the U.S. delegation persuaded the official delegates of the Soviet Union, China, and Britain to accept it. When the Charter conference concluded on June 26, 1945, in San Francisco, the Charter's Preamble stated: "We the peoples of the United Nations are determined to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women of nations large and small." Article 1 of the Charter made "promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion" a principal goal of the UN.

However, the nations that met in San Francisco to draft the Charter were also concerned with guarding the prerogatives available to them under the traditional doctrine of national sovereignty. The language of the Charter stopped short of granting the UN or any other international body the authority to enforce and protect human rights standards against sovereign states. The government delegates assembled in San Francisco were willing to endorse the "promotion" of human rights, particularly when it applied to other countries, but were unwilling to accept international jurisdiction, particularly when it applied to their own governments. Fearing that broad language on human rights would threaten the principle of national sovereignty, the final version of the Charter also contained Article 2(7), which reads, "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require Members to submit such matters to settlement." This clause set up the essential contradiction within the UN system under which governments could profess to be committed to the international protection of human rights, while also claiming immunity from interference in their own internal affairs.

Once the formal commitment to promote (but not protect) human rights was accepted into the UN Charter, it became evident that there was no generally accepted definition or list of the human rights and fundamental freedoms that the organization was committed to promote. Mandated by the first General Assembly in 1946 to draft an international bill of rights, the Economic and Social Council established a Human Rights Commission that was charged with drafting a document on human rights that could accommodate the diverse political ideologies and cultures of the member

states of the United Nations. In order to expedite the work of this Commission, a Human Rights Division was created within the Secretariat and a Canadian law professor, John Humphrey, was appointed as its head. Eleanor Roosevelt (1884–1962) was appointed to a special ad hoc preparatory commission charged with selecting members in the Human Rights Commission and was soon elected its chair. The preparatory commission set to work and held several meetings during late 1946. It was recommended that the Human Rights Commission should be a permanent body consisting of eighteen members acting in their personal capacities as experts in the field of human rights. However, the Economic and Social Council decided that its members should be government representatives and that its charge would be to draft an international bill of rights capable of universal acceptance.

THE HUMAN RIGHTS COMMISSION

The Human Rights Commission held its first session in January 1947. The members appointed to it included many distinguished scholars and diplomats, such as Dr. Peng-chun Chang of China, Dr. Charles Malik of Lebanon, Dr. René Cassin of France, Carlos Romulo of the Philippines, Hansa Mehta of India, Charles Duke of Great Britain, Don Felix Nieto del Rio of Chile, Dr. Richard Alfaro of Panama, Dr. Ghasseme Ghani of Iran, Dr. Don José A. Mora of Uruguay, Alexander Bogomolov of the Soviet Union, and Vladislav Ribnikar of Yugoslavia. The United States appointed Eleanor Roosevelt as its representative, and she was unanimously elected as the Commission's chair.

In carrying out its mandate, the Human Rights Commission (HRC) had to contend with a variety of vexing philosophical questions about the nature and scope of human rights, as well as some difficult political questions concerning what was politically feasible and likely to win the agreement of the governments represented in the General Assembly at the time. The members of the HRC struggled with these philosophical and political questions throughout 1947. They interviewed experts from various specialized agencies such as the ILO and the World Health Organization; they consulted international lawyers who had worked on the Nuremberg and Tokyo war crimes trials; and reviewed suggestions from numerous non-governmental organizations and distinguished individual scholars. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) solicited the views of 150 distinguished thinkers from around the world. Among the luminaries who responded were Benedetto Croce of Italy, Lewis Mumford of the United States, J. M. Burgers of the Netherlands, and Jacques Maritain of France. In the summer of 1947, UNESCO convened a special Committee on the Philosophic Principles of the Rights of Man in Paris that sifted through the various submissions and concluded: "Human rights have become, and must remain, universal." It also concluded that it was not advisable to attempt to achieve doctrinal consensus on the philosophical and theological questions concerning the origin, nature, and ultimate justification of human rights, but rather that the HRC should seek common ground on specific human rights standards, and it went on to propose some specific civil, political, economic, and social rights.

The political difficulties facing the HRC were perhaps even more formidable. The language of the Charter had inspired the hope of thousands of oppressed people

around the world, and soon the Commission was flooded with petitions from various quarters asking that the UN intervene on their behalf. These challenges to domestic jurisdiction were just what the governments had feared might happen, and the HRC had to put a stop to the practice by issuing a statement saying that it had no power to take action concerning individual allegations of human rights violations against governments. Disputes also arose within the HRC over issues such as labor rights and their relation to civil and political rights, the status of women, colonial peoples, and apartheid. Finally, Mrs. Roosevelt decided that a smaller group might be more effective, and an eight-member drafting committee consisting of herself and delegates from Australia, Chile, China, France, Lebanon, Britain, and the Soviet Union was appointed.

The drafting committee worked from a 400-page documented outline prepared by the Human Rights Division of the UN Secretariat led by John P. Humphrey. He prepared his Secretariat Outline from text supplied by many individuals and private organizations. The drafting committee was, however, still divided over the form that the document should take. One possibility was a multilateral treaty that would be binding international law; another was to have the language of the document incorporated into the UN Charter so that agreement to it would be a condition of membership in the UN; while yet another possibility was to make it a "Declaration" by the General Assembly carrying the force of only a non-binding recommendation. Some delegates wanted to include in it the right of individuals who believed that their human rights had been violated to petition the international court of justice, but others felt that having a binding Convention with powers of petition would violate the principle of national sovereignty. The Chinese delegate, P. C. Chang, finally proposed a compromise under which the HRC would first submit a non-binding Declaration, and then later introduce a binding Convention together with measures of implementation. A small working group headed by the French delegate, René Cassin, thereupon undertook the task of converting Humphrey's outline into a draft declaration.

A first draft of the International Declaration on Human Rights and a Draft International Covenant on Human Rights was completed by the end of 1947, and during the first half of 1948 copies of it were circulated for comment by governments and some private organizations. Some aspects of these drafts provoked strong objections while others met with wide agreement. In July 1948, the Human Rights Commission submitted its revised draft of the Declaration, consisting of a lengthy Preamble and twenty-eight articles, to the Economic and Social Council, which in turn submitted it to the General Assembly in September. The General Assembly devoted eighty-one meetings and considered 168 amendments before the final text was agreed to on December 6, 1948. In their final comments before the vote, many delegates made it clear that the knowledge of horrific atrocities committed during the Holocaust had provided the major impulse behind the Declaration. Some delegates thought it contained too many rights, while others worried that it contained too few. But finally, on the evening of December 10, 1948, in the Palais Chaillot, when the president of the General Assembly, Herbert Evatt of Australia, called for a vote, the resolution passed with forty-eight in favor, none op-

posed, and eight abstentions, whereupon Eleanor Roosevelt received a standing ovation from the Assembly.

TOWARD A BINDING AGREEMENT

While it had been the intention of the HRC to proceed expeditiously to the matter of drafting a binding convention, historical developments during the following years made this politically impossible: the Soviet Union exploded a thermonuclear device in early 1949, thus igniting the Cold War; the Korean War, the independence of Israel, and the process of de-colonization each played a role in transforming the politics of the United Nations. Only when the UN membership had greatly expanded to include the newly independent states of Africa and Asia was the body again able to act on this matter. The originally envisaged companion treaties, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights were passed by the General Assembly and opened for signature in 1966, and having secured the requisite number of ratifications, came into force in 1976.

Since 1948, the United Nations has produced more than seventy additional declarations, treaties, and covenants dealing with various human rights issues. Among the most important of these are: the International Convention for the Elimination of All Forms of Racial Discrimination (1969), the Convention on the Elimination of All Forms of Discrimination Against Women (1979), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), and the Convention on the Rights of the Child (1990). During that same period there have also been several regional human rights conventions signed and ratified, including the European Convention on Human Rights (1951), the American Convention on Human Rights (1969), and the African Charter on Human and Peoples' Rights (1986). Several major international human rights conferences have been held, most recently in Vienna in 1993, that reaffirmed the basic principle of the universality of human rights laid down in the Universal Declaration.

The Universal Declaration of Human Rights began what was to become a "golden age" for standard setting in the field of human rights. Recent developments in the canon have extended and developed the contemporary conception of international human rights to include special protections for members of particularly vulnerable groups, for example, refugees, children, and indigenous peoples; a greatly expanded conception of women's rights; and the recognition of collective or "people's" rights to self-determination, development, and to a just international economic order. However, the current international system is still based on the notion of national sovereignty, and the contradiction inherent in the UN Charter between domestic jurisdiction and the international enforcement of human rights remains largely unresolved. In July 1998, a treaty creating an International Criminal Court with the universal jurisdiction to try persons accused of war crimes and crimes against humanity was approved and is pending ratification. In 1999, the war in Kosovo was viewed in some quarters as creating a "soft law" precedent under which the international community may intervene in the affairs of a sovereign nation in order to suppress genocide or other serious human rights violations. At the beginning of the twenty-first century, however, there was still no

satisfactory solution to the problem of international human rights enforcement. The promise embodied in words of the Preamble of the UDHR that envisioned human rights becoming universally recognized and observed through "progressive measures, national and international," has not been broken, but it remains to be fully realized.

Morton E. Winston

See also: International Bill of Rights; United Nations.

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Victims' Rights

The United Nations' commitment to victims' rights is outlined in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, passed by the General Assembly in 1985. The Declaration states: "Victims should be treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered." The passing of the Declaration was in response to a growing movement that believes that the victims of crime have been left out of the human rights equation.

Human rights documents, including the United Nations Universal Declaration of Human Rights, emphasize the rights of an accused criminal to a fair trial, fair treatment, and fair punishment, if convicted. In many countries, of course, these rights of the accused and convicted are loosely enforced, if they are enforced at all. But in those countries where accused criminals have fairly strong protection from police and judicial abuse (the United States, for example), there has been a growing outcry from the victims of crimes and their supporters that the rights of the victim have been ignored and that criminals have more rights than their victims.

However traumatized by the crimes committed against them, victims—unlike criminals—never face prosecution. In criminal trials, the prosecution almost always has more resources than the defense, and those accused of crime need their legal protections if trials are to have a semblance of fairness and equity. Nevertheless, it is true that the victim of a crime may be almost forgotten during the judicial process. Police focus on arrests, trials revolve around the maneuvers of attorneys moderated by judges, and the victim can be overlooked. For this reason, victims deserve to have certain rights guaranteed as basic human rights.

A key right allowed by the United Nations Declaration is the right to be heard. As the 1985 Declaration puts it: "Allowing the views and concerns of victims to be presented and considered at appropriate stages of the proceedings where their personal interests are affected, without prejudice to the accused and consistent with the relevant national criminal justice system" should be a human right. Usually this involves giving the victim a chance to speak during criminal sentencing, after the accused has already been convicted of the crime. (Allowing victims to speak freely during the trial, outside of the adversarial process, is usually considered too prejudicial to the rights of the accused.)

A second right granted by the United Nations Declaration requires "avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting awards to victims." Victims should not have to wait excessively long to see a resolution of a case. This right can conflict directly with the interests of the accused criminal—sometimes it is to his or her advantage to delay a trial, hoping for a change of circumstances. How these conflicting rights are resolved varies from country to country.

Finally, the United Nations Declaration emphasizes the need to give victims proper

compensation for their suffering and loss: "Offenders or third parties responsible for their behavior should, where appropriate, make fair restitution to victims, their families or dependants. Such restitution should include the return of property or payment for the harm or loss suffered, reimbursement of expenses incurred as a result of the victimization, the provision of services and the restoration of rights." And if the person convicted of the crime is unable to provide compensation, or if no person is ever convicted of the crime, the state has an obligation to compensate victims. "When compensation is not fully available from the offender or other sources, States should endeavor to provide financial compensation to: (a) victims who have sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes; (b) the family, in particular dependants of persons who have died or become physically or mentally incapacitated as a result of such victimization." The assumption here is that the state is responsible for civic safety, and it is the state's failure to protect the victim that made the crime possible, hence the state owes the crime victim compensation. This point of view seems quite reasonable—and usually does no harm to the criminal's human rights—but it entails an expense that most countries are unwilling, or unable, to meet. Only in rich countries like the United States has state compensation for victims begun to occur, and then only in certain circumstances and with relatively small sums of money.

Victims' rights are a reasonable step along the progression of human rights, as long as they do not excessively conflict with the rights of the accused in a criminal trial. It would greatly advance human rights if police and courts could focus more concern on the suffering of the victim, rather than concentrating exclusively on convicting and incarcerating criminals.

Carl Skutsch

See also: Crime; Prisons; Trials.

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War

War has significantly influenced the contemporary human rights movement in a number of different ways. Beyond the obvious fact that many of the more extreme human rights abuses take place in the context of armed conflict, it is the principles of international law underlying treaties and the laws of war that provide legal underpinnings for international human rights covenants. Nations have tried to build laws around war in order, in part, to lessen the damage caused to human rights by wars.

The laws of war arise out of the interplay between two major principles—necessity and humanity. The first principle is that whatever is necessary to defeat one's enemy is permissible, despite the death, pain, and destruction that arise out of the pursuit of victory. The second is that whatever causes unnecessary suffering is forbidden, either to soldiers or to civilians. Concretely, what the latter principle entails is that certain weapons regarded as particularly heinous may not be employed (e.g., poiso-

Colombian troops in gunboats hunt for guerrillas, July 1997.

nous gas), that prisoners of war must be treated humanely, and that civilian populations and non-military targets may not be attacked, robbed, and so on. Other concerns covered by the laws of war are such things as the misuse of flags of truce and of the symbols of the Red Cross and Red Crescent (as ruses for sneak attacks).

While the basic principles of necessity and humanity are easy to understand, in practice the dividing line between the two can be fuzzy. For example, why should expanding bullets be forbidden under modern laws of war, but nuclear weapons not be forbidden? And is attacking targets such as civilian oil storage facilities really necessary to defeat an enemy? While the human rights concerns over the laws of war are limited to actions taken against combatants and non-combatants of the opposing nation (thus Nazi Germany's liquidation of groups of its own citizens was not a violation of the laws of war but was a crime against humanity), it is readily apparent that the laws of war nevertheless supply many precedents for modern human rights law.

The laws of war are ancient. The ancient Greek historian Herodotus recounts an incident in which the Spartans murdered the Persian heralds in Sparta. Sparta tried to atone by sending to the court of King Xerxes Spartan men, who were to be killed as a way of paying for the lives of the Persian heralds. According to Herodotus, Xerxes responded by asserting that the Spartans "have broken what is customary usage among all mankind by killing the heralds, but I will not myself do what I rebuke them for." What is significant about this passage is that it indicates that even in the ancient world, there was a customary rule of war forbidding the killing of non-combatants—a custom the Spartans had broken, but that Xerxes refused to violate. Other ancient peoples adhered to similar traditions. In Western medieval society, much the same attitude was expressed in certain rules of chivalry. The laws of war were eventually codified by Hugo Grotius, the father of international law, in 1625.

Modern laws of war began to be formulated in the nineteenth century. The first was a "Convention for the Amelioration of the Condition of the Wounded in Armies in the Field," signed in Geneva by twelve European nations in 1864. In 1899, at The Hague, a "Convention with Respect to the Laws and Customs of War on Land" brought together and formalized customary international law principles regarding prisoners of war and civilians. A number of other such agreements were signed between 1899 and the outbreak of World War II—The Hague Conference of 1907 and the Geneva Conventions of 1928 and 1929. These agreements formed the basis for the war crime trials that took place in Nuremberg and Tokyo following World War II. In 1949, a diplomatic conference meeting in Geneva, Switzerland, drafted a set of four treaties on the conduct of war that, like the conventions of 1928 and 1929, are also referred to as the Geneva Conventions.

It was the reaction to the atrocities associated with World War II (and, to a lesser extent, World War I) that led to the formation of the United Nations (UN) and to the initiation of the modern human rights movement. This concern is explicitly stated in the Preamble to the UN Charter.

Since its formation, the UN has sponsored a number of different conferences, studies, declarations and agreements addressing the conduct of war. In 1954, for example, the UN Educational, Scientific, and Cultural Organization sponsored a conference to protect cultural property dur-

Victim of a guerrilla attack in Colombia, 1995.

ing war. This agreement, the "Convention for the Protection of Cultural Property in the Event of Armed Conflict," commonly referred to as the Hague Convention (a somewhat confusing appellation because of earlier Hague agreements), entered into force on August 7, 1956.

The International Conference on Human Rights, held in Teheran, Iran, in 1968, noted that the brutality of modern warfare eroded human rights and requested that the UN secretary-general address this matter. Accordingly, in 1970, the UN General Assembly affirmed eight basic principles for the protection of civilian populations in armed conflicts. In 1974, the United Nations also expressed particular concern for the situation of women and children during war, a concern expressed in the Declaration on the Protection of Women and Children in Emergency Armed Conflict. More recently, in 1996, an expert appointed by the secretary-general submitted a report to the General Assembly on the impact of armed conflict on children.

Despite these efforts to reduce the damage to innocents caused by war, human rights continue to be the first casualty of most wars. In the late twentieth century, guerrilla wars were particularly damaging to the cause of human rights. When it is difficult to tell guerrillas from civilians, soldiers who are frustrated, poorly trained, or simply brutal may target civilians as well

as guerrillas. Recent guerrilla conflicts in Colombia, Peru, and Sudan have all seen these kinds of human rights violations.

Conventional wars can also be responsible for human rights violations. Some human rights activists argued that the American 1999 air war against Yugoslavia was contrary to the laws of war because it targeted civilian installations—radio stations and power plants—in addition to military targets.

War, even when fought by democratic governments that generally respect human rights, remains the greatest threat to human rights.

James R. Lewis

See also: Conventional Weapons; Crimes Against Humanity; War Crimes.

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War Crimes

War crimes, which is a category one might easily imagine applies to all acts of savagery associated with warfare, actually has a more restricted definition. Most of the mayhem characteristic of armed conflict is not, in the technical sense of the term, a war crime. Although the range of actions covered by war crimes has gradually been refined and expanded, the specific focus of older, customary laws of war has been the treatment of prisoners and the treatment of the enemy's civilian population. The ancient civilizations of Greece, India, and China, for example, all acknowledged that one should not indiscriminately mistreat or kill prisoners of war or non-combatants.

Although the basic principle is thus thousands of years old, it was not until 1474 that anyone was ever actually tried in an international court for war crimes. In that year, twenty-seven judges of the Holy Roman Empire convicted and sentenced to death Peter van Hagenbach for allowing his troops to plunder, rape, and murder.

The notion of war crimes was gradually extended to cover the use of what were regarded as particularly heinous weapons and modes of warfare. It was a crime to cause destruction beyond what was necessary for the achievement of military objectives. Retrospectively, given the extreme destructiveness of contemporary weaponry, some of the earlier prohibitions now seem quaint. The 1899 Hague Conference, for example, prohibited the "launching of projectiles and explosives from balloons"—a mode of assault that seemed especially treacherous at the close of the nineteenth century. To have launched such an aerial assault after one's nation had signed the Hague Agreement would have violated one of the new laws of war, and hence constituted a war crime. Since then, of course, most of the world's wars have involved air bombardment. In fact, in NATO's conflict with the former Yugoslavia over Kosovo, the entire war was fought from the air. As war changes, the definitions of war crimes may also change.

War crimes overlap, and are sometimes confused with, a different category of violations that have come to be referred to as crimes against humanity. While war crimes can only, by definition, take place during an armed conflict, crimes against humanity can take place during times of international peace. Also, war crimes can only be committed against the soldiers and citizens of a nation with which one is at war, while crimes against humanity can include actions taken against segments of a nation's own population. Thus Nazi Germany's systematic murder of its own Jewish and Roma populations was not a war crime; rather, it was a crime against humanity.

The post-war Geneva Conventions of 1949 codified the laws of war—referred to as international humanitarian law—and included the new category of grave breaches of the conventions. These grave breaches include willful killing, torture, or inhuman treatment, including biological experiments; willfully causing great suffering or serious injury to a person's body or health; extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully

and wantonly; compelling a prisoner of war to serve in the forces of the hostile power; and willfully depriving a prisoner of war of the rights of a fair and regular trial prescribed in the Convention.

In 1977, the grave breaches of the Geneva Conventions were expanded by Protocol 1 to include such violations as situating civilians and undefended areas so as to make them the objects of attack by the enemy; misuse of the Red Cross or the Red Crescent emblem; the moving of segments of one's own population into areas of another country occupied by one's military; and assaults again historic monuments.

Another way in which the international law regulating war has changed is that individual soldiers may no longer defend themselves on the basis of the superior orders principle. Prior to the Nuremberg war crimes trials, soldiers could escape prosecution on the ground that they had been ordered to commit a war crime by a superior officer. This principle was rejected at Nuremberg. In a prominent example from the Vietnam War, the defense put forward by Lieutenant William Calley, that he was acting on orders from superiors when he massacred villagers at My Lai, was similarly rejected, and he was convicted on charges of war crimes.

James R. Lewis

See also: Crimes Against Humanity; Genocide; War.

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Elie Wiesel

Elie (Eliezer) Wiesel is known worldwide as a writer, academic, and human rights advocate. He lived the first fifteen years of his life in the closely knit Jewish community of Sighet, Transylvania (Romania), the only boy in a family of four children. In 1944, the Nazis occupied Sighet, and the Jews of Sighet, including Wiesel, his parents, and his sisters, were deported to the concentration camp at Auschwitz in Poland. His mother and younger sister died there. Wiesel and his father were transferred again, first to the concentration camp at Buna, and finally to Buchenwald, where his father died in January 1945, three months before the camp was liberated. Years later, Wiesel found that his two older sisters had also survived the Holocaust. The fact of his own survival, when so many had died, profoundly and irrevocably shaped the direction his life would take.

Immediately after being liberated, Wiesel was sent to France, where he eventually studied literature and philosophy at the Sor-

Elie Wiesel won the Nobel Peace Prize in 1986.

bonne and later worked as a journalist and teacher. Ten years after the end of the war, Wiesel was persuaded by Francois Mauriac, a well-known French writer, to break his self-imposed vow of silence and to write about his concentration camp experiences. The result was *Night*, an autobiographical account of the anguish, inhumanity, and degradation he both observed and endured in the camps. This slender book launched his writing career and his involvement in human rights causes.

In the years since then, Wiesel has written more than forty books, both fiction and non-fiction, several plays, and numerous essays. His earlier books, such as *Dawn* (1961) and *The Accident* (1962), deal with the profound and inescapable effects of their concentration camp experience on the lives of Holocaust survivors. Later books reflect his broadened commitment to basic human rights and his concerns for other persecuted groups. In addition, he has also written books on Hasidism and the Bible. Wiesel has received numerous literary awards, including the Prix Medicis, the Grand Prize in Literature from the City of Paris, and the Jewish Book Council Literary Award (twice).

Wiesel moved to the United States in the late 1950s and became a U.S. citizen in 1963. His academic career has included serving as Distinguished Professor of Judaic Studies at the City University of New York from 1972 to 1976; as the first Henry Luce Visiting Scholar in Humanities and Social Thought at Yale University from 1982 to 1983; and as the Andrew W. Mellon Professor in the Humanities at Boston University since 1976, where he is also a member of the faculty in the departments of religion and philosophy. In 1978, he was appointed by President Jimmy Carter as chairman of the President's Commission on the Holocaust, and two years later he became founding chairman of the United States Holocaust Memorial Council.

Over the years, Wiesel has supported widely divergent human rights campaigns. He has advocated for the cause of Jews in the Soviet Union, the victims of famine in Africa, the victims of forced disappearance in Argentina, and the victims of war in the former Yugoslavia. In recognition of his defense of human rights, he has received, among other awards, the Congressional Gold Medal, the Presidential Medal of Freedom, and the rank of Grand Officer in the French Legion of Honor. In 1986, he was awarded the Nobel Peace Prize.

Shortly after receiving the Nobel Prize, Wiesel and his wife established the Elie Wiesel Foundation for Humanity. The foundation's purpose is to provide a forum for scholars, politicians, artists, scientists, young people, and others to discuss the critical problems confronting the modern world and share their insights on achieving peaceful and humane solutions for them. The foundation also established a Humanitarian Award, which it gives annually to an individual whose accomplishments best exemplify the goals of the foundation. Past recipients have included Danielle Mitterrand of France for her work with children in Third World countries; King Juan Carlos of Spain for peacefully bringing democracy to his nation; and Hillary Rodham Clinton of the United States for her advocacy for children's issues. The foundation has also established educational centers in Israel for the purpose of assisting Ethiopian Jews to become fully participatory members of Israeli society.

Summarizing his passionate commitment to human rights, Elie Wiesel writes:

"Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Whenever men or women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe."

Donna J. Cook

See also: Genocide; Right to Life; Women's Rights.

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Women's Rights

If there is one message that echoes forth from this conference, let it be that human rights are women's rights and women's rights are human rights.

—Hillary Clinton, Fourth World Conference on Women, Beijing, China, 1995

This clarion call for women's human rights, initiated by women from around the world, echoed in the halls of power (including the United Nations and national governments) across the globe in the 1990s. What does this call mean for women? What has been its impact? What are the challenges that still remain?

The history of the international human rights movement has been one of neglect of women's human rights. It has taken many decades of local, regional, and international activism and networking to make women's human rights visible. Before the Universal Declaration of Human Rights by the United Nations in 1948, there were a number of international agreements safeguarding women's rights. For example, the Hague Conventions at the turn of the twentieth century dealt with conflicts of national laws concerning marriage, divorce, and guardianship of minors. International agreements adopted in 1904, 1910, 1921, and 1933 focused on preventing trafficking in women.

But after issuing the Universal Declaration, the international community put its faith in broad-based universal human rights to address women's issues as well as issues of other minorities. This general norm of non-discrimination is also the basis of the two main human rights covenants: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. But non-discrimination, while a laudable goal, may not go far enough to actively protect the rights of many women.

ORGANIZING FOR WOMEN'S RIGHTS

Given the consensus favoring more gender-neutral human rights proclamations, the only international body that specifically addressed women's rights was the United Nations Commission on the Status of Women, established in 1947. It was this body which initiated the International Women's Year in 1975, the International Women's Decade from 1975 to 1985, with world conferences in 1975 (Mexico City), 1980 (Copenhagen), 1985 (Nairobi), and 1995 (Beijing), and was instrumental in drafting the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

CEDAW's Preamble acknowledges that despite the UN's efforts to promote women's human rights, "extensive discrimination against women continues to exist." This discrimination violates "the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic, and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity."

CEDAW focuses on achieving substantive equality rather than simply guarantee-

ing equal protection under the law. It asks states to modify cultural patterns that perpetuate inequality and attempts to impose standards of equality in public and private life. Adopted by the UN General Assembly in 1979, by 1995 it was ratified by 139 countries and signed by 96 countries.

A GLOBAL CAMPAIGN

It was the solidarity forged over a decade that enabled women's organizations from around the world to have an important impact on the human rights discussions at the 1993 Second World Conference on Human Rights in Vienna. The announcement of the Conference sparked a worldwide mobilization by women to redefine the human rights framework. A Global Campaign for Women's Human Rights was initiated in 1991 by the Center for Women's Global Leadership at Rutgers University, the International Women's Tribune Center, and others.

The Global Campaign explored linkages between women's rights, violence against women, and human rights. Local action included marches, educational panels, exhibits, street theater, and protest rallies. The campaign also organized a worldwide petition drive, calling on the World Conference on Human Rights to "comprehensively address women's human rights at every level of its proceedings" and recognize gender-based violence "as a violation of human rights requiring immediate action."

In addition to the petition, the Global Campaign held local and regional hearings on women's human rights violations. Documents of these hearings were brought to the World Conference. Participants developed "satellite meetings" in which women from a region would gather to draft a report and make recommendations to the World Conference. Women in Latin America and Africa held several such meetings to create a platform to use for lobbying at the Conference. Finally, the Global Campaign sent women to the final preparatory meeting of the World Conference so their voices could be heard during the formulation of the Vienna Declaration and Platform of Action.

Thus, by effectively capitalizing on the networks and understanding gained during the various women's world conferences, and utilizing the resources from UN bodies and the human rights community, an international women's human rights movement was born. While this movement included particular critiques from various Third World women's movements, it also emphasized a universal solidarity among women. It was with this negotiated solidarity that the movement prepared for the World Conference in Vienna.

At Vienna, the international women's human rights movement cited the following major problems with existing human rights instruments: (1) Most human rights mechanisms seek enforcement of political rights only while leaving the protection of socio-economic, cultural, and collective rights—the rights which most affect women—to the discretion of individual states; (2) Most human rights instruments are state-focused and have no mechanisms to make non-state actors, the ones most often responsible for women's rights abuses, accountable for rights violations; (3) Current human rights documents emphasize rights in the public sphere, thereby overlooking the types of domestic and structural violence routinely inflicted on women. The women's lobby demonstrated that while claiming gender-neutrality, all instruments in fact assume men, particularly heterosexual men, to be the bearer of basic rights and do not adequately address

women's realities. Women demanded a feminist transformation of human rights.

In addition to addressing the UN's limited interpretation of women's rights, the women's human rights movement also challenged religious fundamentalists and Asian governments that opposed women's human rights on the ground of cultural differences. Women argued that culture was used selectively, and in a rigid and ahistorical manner, by elites to maintain their hegemony at home. In the words of Hilary Bowker: "Women from every single culture and every part of the world are standing up and saying we won't accept cultural justification for abuses against us anymore. We are human, we have a right to have our human rights protected, and the world community must respond to that call and throw out any attempts to justify abuse on the grounds of culture."

At the end of the Conference, the movement sought to direct the momentum gathered at the Vienna Conference toward the upcoming World Conference on Women in Beijing. Dorothy Thomas, the founder-director of the Women's Rights Project of the Human Rights Watch, outlined three major challenges for the movement: to move from visibility of women's abuses to accountability for those violations; to avoid ghettoization of women's human rights, and to make them part of every level of the UN; and to continue to organize cross-culturally, remaining sensitive to the differences among women.

THE 1995 BEIJING CONFERENCE

At Beijing, one could witness the legacy of the women's human rights movement in Vienna and other UN world conferences in Cairo and Copenhagen. Many human rights organizations, such as the Center for Women's Global Leadership, Amnesty International, and Human Rights Watch, held workshops highlighting how women's groups could use the various human rights instruments for promoting education and achieving justice in their own countries. The focus was on getting legitimacy for women's perspectives in the human rights framework within communities worldwide.

Workshops held by different kinds of nongovernmental organizations—ranging from women's self-help groups working to prevent violence against women to development groups fighting structural adjustment policies and working for sustainable development—all highlighted the use of the human rights discourse in their work. As workshop organizer Rita Marin emphasized, the human rights framework can be seen as providing "power tools" that can be adapted for demanding justice and equality in almost any area. In addition to the important work of sharing information and networking with groups, the Global Campaign for Women's Human Rights held a Global Tribunal on Accountability of Women's Human Rights. This time the emphasis was not on making women's human rights abuses visible, but on demanding accountable changes. The judges recommended stronger, more concrete implementation of women's human rights. As one workshop organizer observed: "In Nairobi we were tentative, the emphasis was on that governments should support the international human rights treaties; in Beijing the demand is: governments must comply."

This assertive tone—a product of over two decades of organizing women around the world—was evident throughout the Conference. The Special Rapporteur on Violence Against Women, appointed as a re-

Women's rights rally in Algiers. The women are demonstrating in opposition to Islamic fundamentalists; January 1992.

sult of commitments made in Vienna, also noted the need to move from expressing grievances and demanding rights to seeking remedies. The resulting Beijing Declaration and Platform for Action reaffirmed the Vienna document in its commitment to the universality, inalienability, and interdependence of human rights; the need for governments to support women's human rights despite religious and cultural differences; and in its acknowledgment of violence against women in the home and in armed conflict as violations of human rights. That reaffirmation was especially heartening, representing triumph over renewed efforts by the Vatican and some governments to reverse gains won at Vienna.

The most significant new addition to the document is the acknowledgment of a kind of right to sexuality: "The human rights of women include their rights to have control over and decide freely and responsibly on matters related to their sexuality including sexual and reproductive health, free of coercion, discrimination, and violence." The document also, for the first time, acknowledged the significance of women's unpaid work in the home.

While the Beijing Declaration reaffirmed the commitment to provide new and additional resources toward implementing women's human rights, it did not indicate a willingness to reallocate existing resources to accomplish such a mission. De-

spite the theoretical and legal gains made in Vienna and Beijing, women's human rights are not a reality for most women around the world. Among the main obstacles noted by various scholars are the structures and practices of globalization, which have led to unjust economic policies and erosion of women's health and education. The human rights approach, based on apportioning blame and punishment to individuals, cannot address these violations adequately for international law, which itself is always applied selectively and can deal with the consequences but not with the causes of structural inequality.

Globalization has also weakened the role of the state, the main guarantor of human rights, and its ability to limit global flows of capital, goods, and markets that undermine the human rights of its citizens. Human rights for women is also challenged by the post–cold war rise of nationalism and religious fundamentalism. Particularly hostile to women's rights have been the fundamentalist Muslim regimes in countries like Iran, Afghanistan, and Saudi Arabia. In others places where fundamentalist movements have threatened to come to power, such as Algeria and Egypt, women have worked together to hold on to their rights.

For the international women's human rights community, there are several occasions for renewed action. Women from around the world need to continue building on the momentum from the world conferences and taking action at local and international levels to use the human rights framework to challenge the inequities of globalization, and, in the process, redefine the framework so that it becomes more achievable. This will require, in the words of one of the judges at the Beijing tribunal, "going with the spirits of the horse and the dragon." In Chinese cosmology, the horse symbolizes hard work, sacrifice, and patience while the dragon represents possibilities and power. Both are necessary to make women's human rights a reality.

Manisha Desai

See also: Abortion; Female Genital Mutilation; Reproductive Rights.

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World Court

The international legal community's consideration for human rights is primarily focused on principles of humanitarianism, peaceful resolution of conflicts, and justice for all people. These fundamental principles define the rights of the individual to be free from harm and oppression.

These international principles led to the creation of the United Nations (UN). The UN has helped to mold the modern body of international law. The UN's Charter, declarations, and resolutions contribute to the body of legal materials that make up international human rights law. Unquestionably, of paramount importance is the Universal Declaration of Human Rights. This momentous document echoes the American Declaration of Independence when it proclaims in Article 1, "all human beings are born free and equal in dignity and rights," and in Article 7, "all are equal before the law and entitled without any discrimination to equal protection of the law."

In addition to UN documents, the international legal community relies on other sources to develop the rule of law. These are the customs and conventions that sovereign nations use in dealing with one another. Furthermore, special attention is paid to the opinions, commentaries, and discourses of leading jurists, legal academics, and authors of jurisprudence from all nations.

The international legal system comprises two entities. One is the World Court, whose permanent seat is in The Hague, in the Netherlands. This court is the legal organ of the United Nations. It primarily takes cases that derive from disputes between member states. Moreover, it can give advisory opinions on legal questions arising from debates between member states, other UN organs, and to specially authorized agencies outside the UN umbrella.

The second legal body is the International Criminal Court. Its concern is with international crimes perpetrated by individuals. More specifically, this court's mandate is to prosecute war crimes, crimes against humanity, and genocide.

Prior to the founding of a modern international court, a predecessor called the Permanent Court of International Justice (or PCIJ) was in place. This court had its inception in an Arbitration Court that came into being at the beginning of the twentieth century. This court still exists and has eighty-two participating countries.

The PCIJ took up residence at the Peace Palace in The Hague. Although this court had a fixed address, it never actually developed into a permanent court with full-time judges.

However, the agreement that was written by this international tribunal became the foundation of the World Court, also known as the International Court of Justice (ICJ). In 1946, the world saw the dissolution of the PCIJ and the election of the first members of the International Court of Justice at the first session of the UN General Assembly. Developed from principles found in the UN Charter, the primary objectives of the ICJ are to end conflict and achieve justice for all people.

A fifteen-member panel serves as judges for the International Court of Justice. These judges are elected by the UN Security Council and General Assembly. No two judges can

come from the same nation. Each judge serves for a nine-year term, with elections every three years. The court can take jurisdiction over a argument only if all the states affected by the dispute have agreed.

From 1946 to 1996, the World Court dealt with forty-seven contentious cases between member states and delivered sixty-one judgments. It also gave twenty-three advisory opinions. The court looks at a multitude of international issues, such as fishery zones and national boundaries. Current cases pending before the ICJ dealing with human rights issues range from the right to self-determination to the legal use of force. The legality of the use of force was questioned in *Yugoslavia v. Belgium; Yugoslavia v. Canada; Yugoslavia v. France; Yugoslavia v. Germany; Yugoslavia v. Italy; Yugoslavia v. Netherlands; Yugoslavia v. Portugal;* and *Yugoslavia v. United Kingdom.* Moreover, current human rights cases involve armed activities on the territory of the the Congo in *Democratic Republic of the Congo v. Burundi; Democratic Republic of the Congo v. Uganda;* and *Democratic Republic of the Congo v. Rwanda.*

The fundamental purpose in establishing an international human rights legal system is to discourage future war criminals and criminal-like states. To do this takes a concordant effort by the global society. War criminals and nefarious states will expect their acts to go unpunished unless the judgment and opinions handed down by international jurists are taken as authoritative and binding. As Benjamin B. Ferencz, a former Nuremberg prosecutor, stated: "There can be no peace without justice, no justice without law and no meaningful law without a Court to decide what is just and lawful under any given circumstance."

Myra D. Mossman

See also: International Law.

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Xenophobia

Xenophobia means unreasonable fear of foreigners. Along with fear, it almost always includes hatred of foreigners. Xenophobia is one of the root causes of racism and discrimination. Xenophobia can also lead to acts of violence against people of different national origins.

The fear of foreigners is as old as humanity. A citizen of ancient Greece was distrustful of Greeks from other cities, even though they spoke the same language and worshipped the same gods. More recently, Europe's many wars were caused in part by suspicion of the foreigners who lived just on the other side of the border. Even the United States, a country that welcomes many immigrants every year, has a long tradition of xenophobia. During the nineteenth century, Americans formed anti-immigrant parties to oppose German and Irish immigration. The twentieth century witnessed the rise of right-wing groups that oppose immigration and are suspicious of treaties with former governments.

A number of different United Nations (UN) resolutions have mentioned xenopho-

Anti United Nations rally called by the Michigan Militia. Suspicion of foreigners and foreign influences has led some Americans to form right-wing fringe groups.

bia, including a General Assembly resolution on December 12, 1960, that condemned racial, religious, and "national hatred" as violations of the UN Charter and the Universal Declaration of Human Rights. More recently, in 1993, the World Conference for Human Rights adopted the Vienna Declaration and Programme of Action, which explicitly mentioned xenophobia in Articles 15 and 30:

"Article 15. Respect for human rights and for fundamental freedoms without distinction of any kind is a fundamental rule of international human rights law. The speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is a priority task for the international community.

"Article 30. The World Conference on Human Rights also expresses its dismay and condemnation that gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism, racial discrimination and apartheid, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law."

Legal definitions and condemnations are laudable, but explaining and fighting xenophobia are more difficult. The origins of xenophobia are rooted somewhere deep in the human psyche. Throughout history, people have feared and hated those that are different themselves. In the twentieth century these fears and hatreds led to the slaughter of millions. Nazi hatred of the Jews, Hutu hatred of the Tutsi, and German hatred of Turkish immigrant workers are not rational, and yet they persist. A sad sign of the persistence of xenophobia is the rebirth of a neo-nazi movement in the eastern provinces of Germany.

Thomas, a fifteen-year-old German neo-Nazi, 1992.

Xenophobia denies another person's essential humanity and thus is the first step toward denying his or her human rights.

James R. Lewis

See also: Racism.

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Appendix A
Human Rights Documents

It is generally agreed that the contemporary human rights movement came into being on December 10, 1948, when the Universal Declaration of Human Rights (UDHR) was formally adopted by the United Nations General Assembly. The UN Charter itself, however, is also an important foundational document. The Charter asserts that the protection and promotion of human rights is one of the principal purposes of the United Nations. The UDHR was adopted three years after the formation of the United Nations in order to make the UN's commitment to human rights more explicit.

Although the Universal Declaration of Human Rights has been widely cited as an authoritative document, it was not until the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) entered into force that the international human rights movement really emerged into its own. These Covenants are treaties, meaning that, for the states that sign them, they have the binding force of international law. Collectively, these two Covenants, together with the UDHR, are referred to as the International Bill of Rights. While the UDHR provides a more specific delineation of the rights outlined in the UN Charter, the ICCPR and the ICESCR further elaborate the content of the UDHR.

Although many subsequent human rights resolutions and agreements have been promulgated, the UN Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights are the foundation for everything else. All four of these documents are reproduced in full.

CHARTER OF THE UNITED NATIONS
June 26, 1945, 59 Stat. 1031, T.S. 993, 3 Bevans 1153, entered into force Oct. 24, 1945.

Preamble

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to ensure by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS. Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

Chapter I

Purposes and Principles

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles:

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

Chapter II

Membership

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

Chapter III

Organs

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Chapter IV

The General Assembly

Article 9

Composition

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each member shall have not more than five representatives in the General Assembly.

Article 10

Functions and Powers

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the

powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Article 18

Voting

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members

present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, Composition including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Article 20

Procedure

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

Chapter V

The Security Council

Article 23

1. The Security Council shall consist of fifteen Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year. A retiring member shall not be eligible for immediate reelection. Each member of the Security Council shall have one representative.

Article 24

Functions and Powers

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Article 27

Voting

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Article 28

Procedure

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

Chapter VI

Pacific Settlement of Disputes

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of

international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

Chapter VII

Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relat-

ing to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Chapter VIII

Regional Arrangements

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter IX

International Economic and Social Co-operation

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development;

b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

Chapter X

The Economic and Social Council

Article 61

Composition

1. The Economic and Social Council shall consist of fifty-four Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, eighteen members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Article 62

Functions and Powers

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Article 68

Procedure

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Chapter XI

Declaration Regarding Non-Self-Governing Territories

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapter XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

Chapter XII

International Trusteeship System

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

a. to further international peace and security;

b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and

d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals and also equal treatment for the latter in the administration of justice without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

a. territories now held under mandate;

b. territories which may be detached from enemy states as a result of the Second World War, and

c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

Chapter XIII

The Trusteeship Council

Article 86

Composition

1. The Trusteeship Council shall consist of the following Members of the United Nations:

a. those Members administering trust territories;

b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and

c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of

the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Article 87

Functions and Powers

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

a. consider reports submitted by the administering authority;

b. accept petitions and examine them in consultation with the administering authority;

c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Article 89

Voting

1. Each member of the Trusteeship Council shall have one vote.

2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Article 90

Procedure

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

Chapter XIV

The International Court of Justice

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

Chapter XV

The Secretariat

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Chapter XVI

Miscellaneous Provisions

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

Chapter XVII

Transitional Security Arrangements

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

Chapter XVIII

Amendments

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

Chapter XIX

Ratification and Signature

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of

Human Rights. Following this historic act the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the commonpeople,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,

THE GENERAL ASSEMBLY

proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

G.A. res. 2200A (XXI), 21 U.N.GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force Jan. 3, 1976.

Preamble

The States Parties to the present Covenant, Considering that, in accordance with the principles proclaimed in the Charter of the

United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recognizing that these rights derive from the inherent dignity of the human person,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,

Agree upon the following articles:

Part I

Article 1

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

Part II

Article 2

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

3. Developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.

Article 4

The States Parties to the present Covenant recognize that, in the enjoyment of those rights provided by the State in conformity with the present Covenant, the State may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

Article 5

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights or freedoms recognized herein, or at their limitation to a greater extent than is provided for in the present Covenant.

2. No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

Part III

Article 6

1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

Article 7

The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:

(a) Remuneration which provides all workers, as a minimum, with:

(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;

(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;

(b) Safe and healthy working conditions;

(c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;

(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Article 8

1. The States Parties to the present Covenant undertake to ensure:

(a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

(b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;

(c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

(d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.

2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.

3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

Article 9

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

Article 10

The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses.

2. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.

3. Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law.

Article 11

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself

and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:

(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

Article 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for:

(a) The provision for the reduction of the stillbirth-rate and of infant mortality and for the healthy development of the child;

(b) The improvement of all aspects of environmental and industrial hygiene;

(c) The prevention, treatment and control of epidemic, endemic, occupational and other diseases;

(d) The creation of conditions which would assure to all medical service and medical attention in the event of sickness.

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 14

Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropoli-

tan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

Article 15

1. The States Parties to the present Covenant recognize the right of everyone: (a) To take part in cultural life; (b) To enjoy the benefits of scientific progress and its applications; (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.

4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

Part IV

Article 16

1. The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the observance of the rights recognized herein.

2. (a) All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit copies to the Economic and Social Council for consideration in accordance with the provisions of the present Covenant;

(b) The Secretary-General of the United Nations shall also transmit to the specialized agencies copies of the reports, or any relevant parts therefrom, from States Parties to the present Covenant which are also members of these specialized agencies in so far as these reports, or parts therefrom, relate to any matters which fall within the responsibilities of the said agencies in accordance with their constitutional instruments.

Article 17

1. The States Parties to the present Covenant shall furnish their reports in stages, in accordance with a programme to be established by the Economic and Social Council within one year of the entry into force of the present Covenant after consultation with the States Parties and the specialized agencies concerned.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Covenant.

3. Where relevant information has previously been furnished to the United Nations or to any specialized agency by any State Party to the present Covenant, it will not be necessary to reproduce that information, but a precise reference to the information so furnished will suffice.

Article 18

Pursuant to its responsibilities under the Charter of the United Nations in the field of human rights and fundamental freedoms, the Economic and Social Council may make arrangements with the specialized agencies in respect of their reporting to it on the progress made in achieving the observance of the provisions of the present Covenant falling within the scope of their activities. These reports may include particulars of decisions and recommendations on such implementation adopted by their competent organs.

Article 19

The Economic and Social Council may transmit to the Commission on Human Rights for study and general recommendation or, as appropriate, for information the reports concerning human rights submitted by States in accordance with articles 16 and 17, and those concerning human rights submitted by the specialized agencies in accordance with article 18.

Article 20

The States Parties to the present Covenant and the specialized agencies concerned may submit comments to the Economic and Social Council on any general recommendation under article 19 or reference to such general recommendation in any report of the Commission on Human Rights or any documentation referred to therein.

Article 21

The Economic and Social Council may submit from time to time to the General Assembly reports with recommendations of a general nature and a summary of the information received from the States Parties to the present Covenant and the specialized agencies on the measures taken and the progress made in achieving general observance of the rights recognized in the present Covenant.

Article 22

The Economic and Social Council may bring to the attention of other organs of the United Nations, their subsidiary organs and

specialized agencies concerned with furnishing technical assistance any matters arising out of the reports referred to in this part of the present Covenant which may assist such bodies in deciding, each within its field of competence, on the advisability of international measures likely to contribute to the effective progressive implementation of the present Covenant.

Article 23

The States Parties to the present Covenant agree that international action for the achievement of the rights recognized in the present Covenant includes such methods as the conclusion of conventions, the adoption of recommendations, the furnishing of technical assistance and the holding of regional meetings and technical meetings for the purpose of consultation and study organized in conjunction with the Governments concerned.

Article 24

Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Covenant.

Article 25

Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

Part V

Article 26

1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a party to the present Covenant.

2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Covenant shall be open to accession by any State referred to in paragraph 1 of this article.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed the present Covenant or acceded to it of the deposit of each instrument of ratification or accession.

Article 27

1. The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 28

The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

Article 29

1. Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.

3. When amendments come into force they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

Article 30

Irrespective of the notifications made under article 26, paragraph 5, the Secretary-General of the United Nations shall

inform all States referred to in paragraph 1 of the same article of the following particulars: (a) Signatures, ratifications and accessions under article 26; (b) The date of the entry into force of the present Covenant under article 27 and the date of the entry into force of any amendments under article 29.

Article 31

1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 26.

FIRST OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 59, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 302, entered into force March 23, 1976.

The States Parties to the present Protocol,

Considering that in order further to achieve the purposes of the International Covenant on Civil and Political Rights (hereinafter referred to as the Covenant) and the implementation of its provisions it would be appropriate to enable the Human Rights Committee set up in part IV of the Covenant (hereinafter referred to as the Committee) to receive and consider, as provided in the present Protocol, communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant.

Have agreed as follows:

Article 1

A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights set forth in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a Party to the present Protocol.

Article 2

Subject to the provisions of article 1, individuals who claim that any of their rights enumerated in the Covenant have been violated and who have exhausted all available domestic remedies may submit a written communication to the Committee for consideration.

Article 3

The Committee shall consider inadmissible any communication under the present Protocol which is anonymous, or which it considers to be an abuse of the right of submission of such communications or to be incompatible with the provisions of the Covenant.

Article 4

1. Subject to the provisions of article 3, the Committee shall bring any communications submitted to it under the present Protocol to the attention of the State Party to the present Protocol alleged to be violating any provision of the Covenant.

2. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

Article 5

1. The Committee shall consider communications received under the present Protocol in the light of all written information made available to it by the individual and by the State Party concerned.

2. The Committee shall not consider any communication from an individual unless it has ascertained that:

(a) The same matter is not being examined under another procedure of international investigation or settlement;

(b) The individual has exhausted all available domestic remedies. This shall not be the rule where the application of the remedies is unreasonably prolonged.

3. The Committee shall hold closed meetings when examining communications under the present Protocol.

4. The Committee shall forward its views to the State Party concerned and to the individual.

Article 6

The Committee shall include in its annual report under article 45 of the Covenant a summary of its activities under the present Protocol.

Article 7

Pending the achievement of the objectives of resolution 1514(XV) adopted by the General Assembly of the United Nations on 14 December 1960 concerning the Declaration on the Granting of Independence to Colonial Countries and Peoples,

the provisions of the present Protocol shall in no way limit the right of petition granted to these peoples by the Charter of the United Nations and other international conventions and instruments under the United Nations and its specialized agencies.

Article 8

1. The present Protocol is open for signature by any State which has signed the Covenant.

2. The present Protocol is subject to ratification by any State which has ratified or acceded to the Covenant. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State which has ratified or acceded to the Covenant.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

Article 9

1. Subject to the entry into force of the Covenant, the present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or instrument of accession.

2. For each State ratifying the present Protocol or acceding to it after the deposit of the tenth instrument of ratification or instrument of accession, the present Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 10

The provisions of the present Protocol shall extend to all parts of federal States without any limitations or exceptions.

Article 11

1. Any State Party to the present Protocol may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate any proposed amendments to the States Parties to the present Protocol with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Protocol in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Protocol and any earlier amendment which they have accepted.

Article 12

1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect three months after the date of receipt of the notification by the Secretary-General.

2. Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under article 2 before the effective date of denunciation.

Article 13

Irrespective of the notifications made under article 8, paragraph 5, of the present Protocol, the Secretary-General of the United Nations shall inform all States referred to in article 48, paragraph 1, of the Covenant of the following particulars:

(a) Signatures, ratifications and accessions under article 8;

(b) The date of the entry into force of the present Protocol under article 9 and the date of the entry into force of any amendments under article 11;

(c) Denunciations under article 12.

Article 14

1. The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 48 of the Covenant.

SECOND OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Aiming at the abolition of the death penalty, G.A. res. 44/128, annex, 44 U.N. GAOR Supp. (No. 49) at 207, U.N. Doc. A/44/49 (1989), entered into force July 11, 1991.

The States Parties to the present Protocol, Believing that abolition of the death penalty contributes to enhancement of human dignity and progressive development of human rights,

Recalling article 3 of the Universal Declaration of Human Rights, adopted on 10 December 1948, and article 6 of the International Covenant on Civil and Political Rights, adopted on 16 December 1966,

Noting that article 6 of the International Covenant on Civil and Political Rights refers to abolition of the death penalty in terms that strongly suggest that abolition is desirable,

Convinced that all measures of abolition of the death penalty should be considered as progress in the enjoyment of the right to life,

Desirous to undertake hereby an international commitment to abolish the death penalty,

Have agreed as follows:

Article 1

1. No one within the jurisdiction of a State Party to the present Protocol shall be executed.

2. Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.

Article 2

1. No reservation is admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty in time of war pursuant to a conviction for a most serious crime of a military nature committed during wartime.

2. The State Party making such a reservation shall at the time of ratification or accession communicate to the Secretary-General of the United Nations the relevant provisions of its national legislation applicable during wartime.

3. The State Party having made such a reservation shall notify the Secretary-General of the United Nations of any beginning or ending of a state of war applicable to its territory.

Article 3

The States Parties to the present Protocol shall include in the reports they submit to the Human Rights Committee, in accordance with article 40 of the Covenant, information on the measures that they have adopted to give effect to the present Protocol.

Article 4

With respect to the States Parties to the Covenant that have made a declaration under article 41, the competence of the Human Rights Committee to receive and consider communications when a State Party claims that another State Party is not fulfilling its obligations shall extend to the provisions of the present Protocol, unless the State Party concerned has made a statement to the contrary at the moment of ratification or accession.

Article 5

With respect to the States Parties to the first Optional Protocol to the International Covenant on Civil and Political Rights adopted on 16 December 1966, the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction shall extend to the provisions of the present Protocol, unless the State Party concerned has made a statement to the contrary at the moment of ratification or accession.

Article 6

1. The provisions of the present Protocol shall apply as additional provisions to the Covenant.

2. Without prejudice to the possibility of a reservation under article 2 of the present Protocol, the right guaranteed in article 1, paragraph 1, of the present Protocol shall not be subject to any derogation under article 4 of the Covenant.

Article 7

1. The present Protocol is open for signature by any State that has signed the Covenant.

2. The present Protocol is subject to ratification by any State that has ratified the Covenant or acceded to it. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State that has ratified the Covenant or acceded to it.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States that have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

Article 8

1. The present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after the deposit of the tenth instrument of ratification or accession, the present Protocol shall enter into force three months after the date of the deposit of its own instrument of ratification or accession.

Article 9

The provisions of the present Protocol shall extend to all parts of federal States without any limitations or exceptions.

Article 10

The Secretary-General of the United Nations shall inform all States referred to in article 48, paragraph 1, of the Covenant of the following particulars:

(a) Reservations, communications and notifications under article 2 of the present Protocol;

(b) Statements made under articles 4 or 5 of the present Protocol;

(c) Signatures, ratifications and accessions under article 7 of the present Protocol:

(d) The date of the entry into force of the present Protocol under article 8 thereof.

Article 11

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 48 of the Covenant.

THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976.

Preamble

The States Parties to the present Covenant,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recognizing that these rights derive from the inherent dignity of the human person,

Recognizing that, in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms,

Realizing that the individual, having duties to other individuals and to the community to which he belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant,

Agree upon the following articles:

Part I

Article 1

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right,

in conformity with the provisions of the Charter of the United Nations.

Part II

Article 2

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 3

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

Article 5

1. Nothing in the present Covenant may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized herein or at their limitation to a greater extent than is provided for in the present Covenant.

2. There shall be no restriction upon or derogation from any of the fundamental human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent.

Part III

Article 6

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 8

1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

(a) No one shall be required to perform forced or compulsory labour;

(b) Paragraph 3 (a) shall not be held to preclude, in countries where imprisonment with hard labour may be imposed as a punishment for a crime, the performance of hard labour in pursuance of a sentence to such punishment by a competent court;

(c) For the purpose of this paragraph the term "forced or compulsory labour" shall not include:

(i) Any work or service, not referred to in subparagraph (b), normally required of a person who is under detention in consequence of a lawful order of a court, or of a person during conditional release from such detention;

(ii) Any service of a military character and, in countries where conscientious objection is recognized, any national service required by law of conscientious objectors;

(iii) Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;

(iv) Any work or service which forms part of normal civil obligations.

Article 9

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgement.

4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.

5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

Article 10

1. All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

(a) Accused persons shall, save in exceptional circumstances, be segregated from convicted persons and shall be subject to separate treatment appropriate to their status as unconvicted persons;

(b) Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication.

3. The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status.

Article 11

No one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation.

Article 12

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

2. Everyone shall be free to leave any country, including his own.

3. The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are nec-

essary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.

4. No one shall be arbitrarily deprived of the right to enter his own country.

Article 13

An alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority or a person or persons especially designated by the competent authority.

Article 14

1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

(a) To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;

(b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;

(c) To be tried without undue delay;

(d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

(e) To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

(f) To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

(g) Not to be compelled to testify against himself or to confess guilt.

4. In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation.

5. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

6. When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed or he has been pardoned on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to law, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly attributable to him.

7. No one shall be liable to be tried or punished again for an offence for which he has already been finally convicted or acquitted in accordance with the law and penal procedure of each country.

Article 15

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby.

2. Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the

time when it was committed, was criminal according to the general principles of law recognized by the community of nations.

Article 16

Everyone shall have the right to recognition everywhere as a person before the law.

Article 17

1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.

2. Everyone has the right to the protection of the law against such interference or attacks.

Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 19

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 20

1. Any propaganda for war shall be prohibited by law.

2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 22

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.

3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

Article 23

1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

2. The right of men and women of marriageable age to marry and to found a family shall be recognized.

3. No marriage shall be entered into without the free and full consent of the intending spouses.

4. States Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.

Article 24

1. Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

2. Every child shall be registered immediately after birth and shall have a name.

3. Every child has the right to acquire a nationality.

Article 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

Article 26

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 27

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

Part IV

Article 28

1. There shall be established a Human Rights Committee (hereafter referred to in the present Covenant as the Committee). It shall consist of eighteen members and shall carry out the functions hereinafter provided.

2. The Committee shall be composed of nationals of the States Parties to the present Covenant who shall be persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience.

3. The members of the Committee shall be elected and shall serve in their personal capacity.

Article 29

1. The members of the Committee shall be elected by secret ballot from a list of persons possessing the qualifications prescribed in article 28 and nominated for the purpose by the States Parties to the present Covenant.

2. Each State Party to the present Covenant may nominate not more than two persons. These persons shall be nationals of the nominating State.

3. A person shall be eligible for renomination.

Article 30

1. The initial election shall be held no later than six months after the date of the entry into force of the present Covenant.

2. At least four months before the date of each election to the Committee, other than an election to fill a vacancy declared in accordance with article 34, the Secretary-General of the United Nations shall address a written invitation to the States Parties to the present Covenant to submit their nominations for membership of the Committee within three months.

3. The Secretary-General of the United Nations shall prepare a list in alphabetical order of all the persons thus nominated, with an indication of the States Parties which have nominated them, and shall submit it to the States Parties to the present Covenant no later than one month before the date of each election.

4. Elections of the members of the Committee shall be held at a meeting of the States Parties to the present Covenant convened by the Secretary-General of the United Nations at the Headquarters of the United Nations. At that meeting, for which

two thirds of the States Parties to the present Covenant shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

Article 31

1. The Committee may not include more than one national of the same State.

2. In the election of the Committee, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems.

Article 32

1. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these nine members shall be chosen by lot by the Chairman of the meeting referred to in article 30, paragraph 4.

2. Elections at the expiry of office shall be held in accordance with the preceding articles of this part of the present Covenant.

Article 33

1. If, in the unanimous opinion of the other members, a member of the Committee has ceased to carry out his functions for any cause other than absence of a temporary character, the Chairman of the Committee shall notify the Secretary-General of the United Nations, who shall then declare the seat of that member to be vacant.

2. In the event of the death or the resignation of a member of the Committee, the Chairman shall immediately notify the Secretary-General of the United Nations, who shall declare the seat vacant from the date of death or the date on which the resignation takes effect.

Article 34

1. When a vacancy is declared in accordance with article 33 and if the term of office of the member to be replaced does not expire within six months of the declaration of the vacancy, the Secretary-General of the United Nations shall notify each of the States Parties to the present Covenant, which may within two months submit nominations in accordance with article 29 for the purpose of filling the vacancy.

2. The Secretary-General of the United Nations shall prepare a list in alphabetical order of the persons thus nominated and shall submit it to the States Parties to the present Covenant. The election to fill the vacancy shall then take place in accordance with the relevant provisions of this part of the present Covenant.

3. A member of the Committee elected to fill a vacancy declared in accordance with article 33 shall hold office for the remainder of the term of the member who vacated the seat on the Committee under the provisions of that article.

Article 35

The members of the Committee shall, with the approval of the General Assembly of the United Nations, receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide, having regard to the importance of the Committee's responsibilities.

Article 36

The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Covenant.

Article 37

1. The Secretary-General of the United Nations shall convene the initial meeting of the Committee at the Headquarters of the United Nations.

2. After its initial meeting, the Committee shall meet at such times as shall be provided in its rules of procedure.

3. The Committee shall normally meet at the Headquarters of the United Nations or at the United Nations Office at Geneva.

Article 38

Every member of the Committee shall, before taking up his duties, make a solemn declaration in open committee that he will perform his functions impartially and conscientiously.

Article 39

1. The Committee shall elect its officers for a term of two years. They may be re-elected.

2. The Committee shall establish its own rules of procedure, but these rules shall provide, inter alia, that:

(a) Twelve members shall constitute a quorum;

(b) Decisions of the Committee shall be made by a majority vote of the members present.

Article 40

1. The States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights:

(a) Within one year of the entry into force of the present Covenant for the States Parties concerned;

(b) Thereafter whenever the Committee so requests.

2. All reports shall be submitted to the Secretary-General of the United Nations, who shall transmit them to the Committee for consideration. Reports shall indicate the factors and difficulties, if any, affecting the implementation of the present Covenant.

3. The Secretary-General of the United Nations may, after consultation with the Committee, transmit to the specialized agencies concerned copies of such parts of the reports as may fall within their field of competence.

4. The Committee shall study the reports submitted by the States Parties to the present Covenant. It shall transmit its reports, and such general comments as it may consider appropriate, to the States Parties. The Committee may also transmit to the Economic and Social Council these comments along with the copies of the reports it has received from States Parties to the present Covenant.

5. The States Parties to the present Covenant may submit to the Committee observations on any comments that may be made in accordance with paragraph 4 of this article.

Article 41

1. A State Party to the present Covenant may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the present Covenant. Communications under this article may be received and considered only if submitted by a State Party which has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(a) If a State Party to the present Covenant considers that another State Party is not giving effect to the provisions of the present Covenant, it may, by written communication, bring the matter to the attention of that State Party. Within three months after the receipt of the communication the receiving State shall afford the State which sent the communication an explanation, or any other statement in writing clarifying the matter which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending, or available in the matter;

(b) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(c) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged;

(d) The Committee shall hold closed meetings when examining communications under this article;

(e) Subject to the provisions of subparagraph (c), the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of respect for human rights and fundamental freedoms as recognized in the present Covenant;

(f) In any matter referred to it, the Committee may call upon the States Parties concerned, referred to in subparagraph (b), to supply any relevant information;

(g) The States Parties concerned, referred to in subparagraph (b), shall have the right to be represented when the matter is being considered in the Committee and to make submissions orally and/or in writing;

(h) The Committee shall, within twelve months after the date of receipt of notice under subparagraph (b), submit a report:

(i) If a solution within the terms of subparagraph (e) is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;

(ii) If a solution within the terms of subparagraph (e) is not reached, the Committee shall confine its report to a brief statement of the facts; the written submissions and record of the oral submissions made by the

States Parties concerned shall be attached to the report. In every matter, the report shall be communicated to the States Parties concerned.

2. The provisions of this article shall come into force when ten States Parties to the present Covenant have made declarations under paragraph 1 of this article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter which is the subject of a communication already transmitted under this article; no further communication by any State Party shall be received after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

Article 42

1. (a) If a matter referred to the Committee in accordance with article 41 is not resolved to the satisfaction of the States Parties concerned, the Committee may, with the prior consent of the States Parties concerned, appoint an ad hoc Conciliation Commission (hereinafter referred to as the Commission). The good offices of the Commission shall be made available to the States Parties concerned with a view to an amicable solution of the matter on the basis of respect for the present Covenant;

(b) The Commission shall consist of five persons acceptable to the States Parties concerned. If the States Parties concerned fail to reach agreement within three months on all or part of the composition of the Commission, the members of the Commission concerning whom no agreement has been reached shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its members.

2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States Parties concerned, or of a State not Party to the present Covenant, or of a State Party which has not made a declaration under article 41.

3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

4. The meetings of the Commission shall normally be held at the Headquarters of the United Nations or at the United Nations Office at Geneva. However, they may be held at such other convenient places as the Commission may determine in consultation with the Secretary-General of the United Nations and the States Parties concerned.

5. The secretariat provided in accordance with article 36 shall also service the commissions appointed under this article.

6. The information received and collated by the Committee shall be made available to the Commission and the Commission may call upon the States Parties concerned to supply any other relevant information.

7. When the Commission has fully considered the matter, but in any event not later than twelve months after having been seized of the matter, it shall submit to the Chairman of the Committee a report for communication to the States Parties concerned:

(a) If the Commission is unable to complete its consideration of the matter within twelve months, it shall confine its report to a brief statement of the status of its consideration of the matter;

(b) If an amicable solution to the matter on tie basis of respect for human rights as recognized in the present Covenant is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached;

(c) If a solution within the terms of subparagraph (b) is not reached, the Commission's report shall embody its findings on all questions of fact relevant to the issues between the States Parties concerned, and its views on the possibilities of an amicable solution of the matter. This report shall also contain the written submissions and a record of the oral submissions made by the States Parties concerned;

(d) If the Commission's report is submitted under subparagraph (c), the States Parties concerned shall, within three months of the receipt of the report, notify the Chairman of the Committee whether or not they accept the contents of the report of the Commission.

8. The provisions of this article are without prejudice to the responsibilities of the Committee under article 41.

9. The States Parties concerned shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

10. The Secretary-General of the United Nations shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States Parties concerned, in accordance with paragraph 9 of this article.

Article 43

The members of the Committee, and of the ad hoc conciliation commissions which may be appointed under article 42, shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 44

The provisions for the implementation of the present Covenant shall apply without prejudice to the procedures prescribed in the field of human rights by or under the constituent instruments and the conventions of the United Nations and of the specialized agencies and shall not prevent the States Parties to the present Covenant from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

Article 45

The Committee shall submit to the General Assembly of the United Nations, through the Economic and Social Council, an annual report on its activities.

Part V

Article 46

Nothing in the present Covenant shall be interpreted as impairing the provisions of the Charter of the United Nations and of the constitutions of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present Covenant.

Article 47

Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources.

Part VI

Article 48

1. The present Covenant is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to the present Covenant.

2. The present Covenant is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Covenant shall be open to accession by any State referred to in paragraph 1 of this article.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States which have signed this Covenant or acceded to it of the deposit of each instrument of ratification or accession.

Article 49

1. The present Covenant shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the thirty-fifth instrument of ratification or instrument of accession.

2. For each State ratifying the present Covenant or acceding to it after the deposit of the thirty-fifth instrument of ratification or instrument of accession, the present Covenant shall enter into force three months after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 50

The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

Article 51

1. Any State Party to the present Covenant may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General of the United Nations shall thereupon communicate any proposed amendments to the States Parties to the present Covenant with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. Amendments shall come into force when they have been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of the States Parties to the present Covenant in accordance with their respective constitutional processes.

3. When amendments come into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of the present Covenant and any earlier amendment which they have accepted.

Article 52

Irrespective of the notifications made under article 48, paragraph 5, the Secretary-General of the United Nations shall inform all States referred to in paragraph 1 of the same article of the following particulars:

(a) Signatures, ratifications and accessions under article 48;

(b) The date of the entry into force of the present Covenant under article 49 and the date of the entry into force of any amendments under article 51.

Article 53

1. The present Covenant, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Covenant to all States referred to in article 48.

CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE

Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948

Entered into force 12 January 1951, in accordance with article XIII

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

Article 1

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

Article 2

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;

(b) Causing serious bodily or mental harm to members of the group;

(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

(d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

Article 3

The following acts shall be punishable:

(a) Genocide;

(b) Conspiracy to commit genocide;

(c) Direct and public incitement to commit genocide;

(d) Attempt to commit genocide;

(e) Complicity in genocide.

Article 4

Persons committing genocide or any of the other acts enumerated in article 3 shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

Article 5

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article 3.

Article 6

Persons charged with genocide or any of the other acts enumerated in article 3 shall be tried by a competent tribunal of

the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7

Genocide and the other acts enumerated in article 3 shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article 3.

Article 9

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article 3, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article 10

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article 11

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any nonmember State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 12

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article 13

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a proces-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article 14

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

Article 15

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

Article 16

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

Article 17

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article 11 of the following:

(a) Signatures, ratifications and accessions received in accordance with article 11;

(b) Notifications received in accordance with article 12;

(c) The date upon which the present Convention comes into force in accordance with article 13;

(d) Denunciations received in accordance with article 14;

(e) The abrogation of the Convention in accordance with article 15;

(f) Notifications received in accordance with article 16.

Article 18

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article 11.

Article 19

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965
Entered into force 4 January 1969, in accordance with Article 19

The States Parties to this Convention,

Considering that the Charter of the United Nations is based on the principles of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action, in co-operation with the Organization, for the achievement of one of the purposes of the United Nations which is to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Considering that all human beings are equal before the law and are entitled to equal protection of the law against any discrimination and against any incitement to discrimination,

Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, in whatever form and wherever they exist, and that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)) has affirmed and solemnly proclaimed the necessity of bringing them to a speedy and unconditional end,

Considering that the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (General Assembly resolution 1904 [XVIII]) solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

Reaffirming that discrimination between human beings on the grounds of race, colour or ethnic origin is an obstacle to friendly and peaceful relations among nations and is capable of disturbing peace and security among peoples and the harmony of persons living side by side even within one and the same State,

Convinced that the existence of racial barriers is repugnant to the ideals of any human society,

Alarmed by manifestations of racial discrimination still in evidence in some areas of the world and by governmental policies based on racial superiority or hatred, such as policies of apartheid, segregation or separation,

Resolved to adopt all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations, and to prevent and combat racist doctrines and practices in order to promote understanding between races and to build an international community free from all forms of racial segregation and racial discrimination,

Bearing in mind the Convention concerning Discrimination in respect of Employment and Occupation adopted by the International Labour Organisation in 1958, and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization in 1960,

Desiring to implement the principles embodied in the United Nations Declaration on the Elimination of All Forms

of Racial Discrimination and to secure the earliest adoption of practical measures to that end,

Have agreed as follows:

Part I

Article 1

1. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

2. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens.

3. Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality.

4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

(a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

(c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

(d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

(e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

Article 3

States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which

promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

(a) The right to equal treatment before the tribunals and all other organs administering justice;

(b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

(c) Political rights, in particular the right to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

(d) Other civil rights, in particular:

(i) The right to freedom of movement and residence within the border of the State;

(ii) The right to leave any country, including one's own, and to return to one's country;

(iii) The right to nationality;

(iv) The right to marriage and choice of spouse;

(v) The right to own property alone as well as in association with others;

(vi) The right to inherit;

(vii) The right to freedom of thought, conscience and religion;

(viii) The right to freedom of opinion and expression;

(ix) The right to freedom of peaceful assembly and association;

(e) Economic, social and cultural rights, in particular:

(i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

(ii) The right to form and join trade unions;

(iii) The right to housing;

(iv) The right to public health, medical care, social security and social services;

(v) The right to education and training;

(vi) The right to equal participation in cultural activities;

(f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

Article 6

States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

Part II

Article 8

1. There shall be established a Committee on the Elimination of Racial Discrimination (hereinafter referred to as the Committee) consisting of eighteen experts of high moral stand-

ing and acknowledged impartiality elected by States Parties from among their nationals, who shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as of the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by the States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of this Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. (a) The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee;

(b) For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

6. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties. (amendment [see General Assembly resolution 47/111 of 16 December 1992]; status of ratification)

Article 9

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of this Convention:

(a) within one year after the entry into force of the Convention for the State concerned; and

(b) thereafter every two years and whenever the Committee so requests. The Committee may request further information from the States Parties.

2. The Committee shall report annually, through the Secretary-General, to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of the reports and information received from the States Parties. Such suggestions and general recommendations shall be reported to the General Assembly together with comments, if any, from States Parties.

Article 10

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

3. The secretariat of the Committee shall be provided by the Secretary-General of the United Nations.

4. The meetings of the Committee shall normally be held at United Nations Headquarters.

Article 11

1. If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may bring the matter to the attention of the Committee. The Committee shall then transmit the communication to the State Party concerned. Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

2. If the matter is not adjusted to the satisfaction of both parties, either by bilateral negotiations or by any other procedure open to them, within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter again to the Committee by notifying the Committee and also the other State.

3. The Committee shall deal with a matter referred to it in accordance with paragraph 2 of this article after it has ascertained that all available domestic remedies have been invoked and exhausted in the case, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged.

4. In any matter referred to it, the Committee may call upon the States Parties concerned to supply any other relevant information.

5. When any matter arising out of this article is being considered by the Committee, the States Parties concerned shall be entitled to send a representative to take part in the proceedings of the Committee, without voting rights, while the matter is under consideration.

Article 12

1. (a) After the Committee has obtained and collated all the information it deems necessary, the Chairman shall appoint an ad hoc Conciliation Commission (hereinafter referred to as the Commission) comprising five persons who may or may not be members of the Committee. The members of the Commission shall be appointed with the unanimous consent of the parties to the dispute, and its good offices shall be made available to the States concerned with a view to an amicable solution of the matter on the basis of respect for this Convention;

(b) If the States parties to the dispute fail to reach agreement within three months on all or part of the composition of the Commission, the members of the Commission not agreed upon by the States parties to the dispute shall be elected by secret ballot by a two-thirds majority vote of the Committee from among its own members.

2. The members of the Commission shall serve in their personal capacity. They shall not be nationals of the States parties to the dispute or of a State not Party to this Convention.

3. The Commission shall elect its own Chairman and adopt its own rules of procedure.

4. The meetings of the Commission shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Commission.

5. The secretariat provided in accordance with article 10, paragraph 3, of this Convention shall also service the Commission whenever a dispute among States Parties brings the Commission into being.

6. The States parties to the dispute shall share equally all the expenses of the members of the Commission in accordance with estimates to be provided by the Secretary-General of the United Nations.

7. The Secretary-General shall be empowered to pay the expenses of the members of the Commission, if necessary, before reimbursement by the States parties to the dispute in accordance with paragraph 6 of this article.

8. The information obtained and collated by the Committee shall be made available to the Commission, and the Commission may call upon the States concerned to supply any other relevant information.

Article 13

1. When the Commission has fully considered the matter, it shall prepare and submit to the Chairman of the Committee a report embodying its findings on all questions of fact relevant to the issue between the parties and containing such recommendations as it may think proper for the amicable solution of the dispute.

2. The Chairman of the Committee shall communicate the report of the Commission to each of the States parties to the dispute. These States shall, within three months, inform the Chairman of the Committee whether or not they accept the recommendations contained in the report of the Commission.

3. After the period provided for in paragraph 2 of this article, the Chairman of the Committee shall communicate the report of the Commission and the declarations of the States Parties concerned to the other States Parties to this Convention.

Article 14

1. A State Party may at any time declare that it recognizes the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.

2. Any State Party which makes a declaration as provided for in paragraph 1 of this article may establish or indicate a body within its national legal order which shall be competent to receive and consider petitions from individuals and groups of individuals within its jurisdiction who claim to be victims of a violation of any of the rights set forth in this Convention and who have exhausted other available local remedies.

3. A declaration made in accordance with paragraph 1 of this article and the name of any body established or indicated in accordance with paragraph 2 of this article shall be deposited by the State Party concerned with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General, but such a withdrawal shall not affect communications pending before the Committee.

4. A register of petitions shall be kept by the body established or indicated in accordance with paragraph 2 of this ar-

ticle, and certified copies of the register shall be filed annually through appropriate channels with the Secretary-General on the understanding that the contents shall not be publicly disclosed.

5. In the event of failure to obtain satisfaction from the body established or indicated in accordance with paragraph 2 of this article, the petitioner shall have the right to communicate the matter to the Committee within six months.

6. (a) The Committee shall confidentially bring any communication referred to it to the attention of the State Party alleged to be violating any provision of this Convention, but the identity of the individual or groups of individuals concerned shall not be revealed without his or their express consent. The Committee shall not receive anonymous communications;

(b) Within three months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

7. (a) The Committee shall consider communications in the light of all information made available to it by the State Party concerned and by the petitioner. The Committee shall not consider any communication from a petitioner unless it has ascertained that the petitioner has exhausted all available domestic remedies. However, this shall not be the rule where the application of the remedies is unreasonably prolonged;

(b) The Committee shall forward its suggestions and recommendations, if any, to the State Party concerned and to the petitioner.

8. The Committee shall include in its annual report a summary of such communications and, where appropriate, a summary of the explanations and statements of the States Parties concerned and of its own suggestions and recommendations.

9. The Committee shall be competent to exercise the functions provided for in this article only when at least ten States Parties to this Convention are bound by declarations in accordance with paragraph 1 of this article.

Article 15

1. Pending the achievement of the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, the provisions of this Convention shall in no way limit the right of petition granted to these peoples by other international instruments or by the United Nations and its specialized agencies.

2. (a) The Committee established under article 8, paragraph 1, of this Convention shall receive copies of the petitions from, and submit expressions of opinion and recommendations on these petitions to, the bodies of the United Nations which deal with matters directly related to the principles and objectives of this Convention in their consideration of petitions from the inhabitants of Trust and Non-Self-Governing Territories and all other territories to which General Assembly resolution 1514 (XV) applies, relating to matters covered by this Convention which are before these bodies;

(b) The Committee shall receive from the competent bodies of the United Nations copies of the reports concerning the legislative, judicial, administrative or other measures directly related to the principles and objectives of this Convention applied by the administering Powers within the Territories mentioned in subparagraph (a) of this paragraph, and shall express opinions and make recommendations to these bodies.

3. The Committee shall include in its report to the General Assembly a summary of the petitions and reports it has received from United Nations bodies, and the expressions of opinion and recommendations of the Committee relating to the said petitions and reports.

4. The Committee shall request from the Secretary-General of the United Nations all information relevant to the objectives of this Convention and available to him regarding the Territories mentioned in paragraph 2 (a) of this article.

Article 16

The provisions of this Convention concerning the settlement of disputes or complaints shall be applied without prejudice to other procedures for settling disputes or complaints in the field of discrimination laid down in the constituent instruments of, or conventions adopted by, the United Nations and its specialized agencies, and shall not prevent the States Parties from having recourse to other procedures for settling a dispute in accordance with general or special international agreements in force between them.

Part III

Article 17

1. This Convention is open for signature by any State Member of the United Nations or member of any of its specialized agencies, by any State Party to the Statute of the International Court of Justice, and by any other State which has been invited by the General Assembly of the United Nations to become a Party to this Convention.

2. This Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 18

1. This Convention shall be open to accession by any State referred to in article 17, paragraph 1, of the Convention. 2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 19

1. This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twenty-seventh instrument of ratification or instrument of accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the twenty-seventh instrument of ratification or instrument of accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or instrument of accession.

Article 20

1. The Secretary-General of the United Nations shall receive and circulate to all States which are or may become Parties to this Convention reservations made by States at the time of ratification or accession. Any State which objects to the reservation shall, within a period of ninety days from the date of the said communication, notify the Secretary-General that it does not accept it.

2. A reservation incompatible with the object and purpose of this Convention shall not be permitted, nor shall a reservation the effect of which would inhibit the operation of any of the bodies established by this Convention be allowed. A reservation shall be considered incompatible or inhibitive if at least two thirds of the States Parties to this Convention object to it.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General. Such notification shall take effect on the date on which it is received.

Article 21

A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

Article 22

Any dispute between two or more States Parties with respect to the interpretation or application of this Convention, which is not settled by negotiation or by the procedures expressly provided for in this Convention, shall, at the request of any of the parties to the dispute, be referred to the International Court of Justice for decision, unless the disputants agree to another mode of settlement.

Article 23

1. A request for the revision of this Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 24

The Secretary-General of the United Nations shall inform all States referred to in article 17, paragraph 1, of this Convention of the following particulars:

(a) Signatures, ratifications and accessions under articles 17 and 18;

(b) The date of entry into force of this Convention under article 19;

(c) Communications and declarations received under articles 14, 20 and 23;

(d) Denunciations under article 21.

Article 25

1. This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States belonging to any of the categories mentioned in article 17, paragraph 1, of the Convention.

DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Proclaimed by General Assembly resolution 36/55 of 25 November 1981

The General Assembly,

Considering that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action in co-operation with the

Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of nondiscrimination and equality before the law and the right to freedom of thought, conscience, religion and belief,

Considering that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to mankind, especially where they serve as a means of foreign interference in the internal affairs of other States and amount to kindling hatred between peoples and nations,

Considering that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Considering that it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion and belief and to ensure that the use of religion or belief for ends inconsistent with the Charter of the United Nations, other relevant instruments of the United Nations and the purposes and principles of the present Declaration is inadmissible,

Convinced that freedom of religion and belief should also contribute to the attainment of the goals of world peace, social justice and friendship among peoples and to the elimination of ideologies or practices of colonialism and racial discrimination,

Noting with satisfaction the adoption of several, and the coming into force of some, conventions, under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination,

Concerned by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world,

Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the ground of religion or belief,

Proclaims this Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief:

Article 1

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have a religion or belief of his choice.

3. Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.

Article 2

1. No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or other belief.

2. For the purposes of the present Declaration, the expression "intolerance and discrimination based on religion or belief" means any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

Article 3

Discrimination between human being on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

Article 4

1. All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

2. All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.

Article 5

1. The parents or, as the case may be, the legal guardians of the child have the right to organize the life within the family in accordance with their religion or belief and bearing in mind the moral education in which they believe the child should be brought up.

2. Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.

3. The child shall be protected from any form of discrimination on the ground of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for freedom of religion or belief of others, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

4. In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests of the child being the guiding principle.

5. Practices of a religion or belief in which a child is brought up must not be injurious to his physical or mental health or to his full development, taking into account article 1, paragraph 3, of the present Declaration.

Article 6

In accordance with article 1 of the present Declaration, and subject to the provisions of article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

(a) To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;

(b) To establish and maintain appropriate charitable or humanitarian institutions;

(c) To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;

(d) To write, issue and disseminate relevant publications in these areas;

(e) To teach a religion or belief in places suitable for these purposes;

(f) To solicit and receive voluntary financial and other contributions from individuals and institutions;

(g) To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;

(h) To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;

(i) To establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels.

Article 7

The rights and freedoms set forth in the present Declaration shall be accorded in national legislation in such a manner that everyone shall be able to avail himself of such rights and freedoms in practice.

Article 8

Nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights.

DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS OR LINGUISTIC MINORITIES

Adopted by General Assembly resolution 47/135 of 18 December 1992

The General Assembly,

Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Interna-

tional Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States,

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

4. Persons belonging to minorities have the right to establish and maintain their own associations.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to minorities, inter alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Adopted and opened for signature, ratification and accession by General Assembly resolution 34/180 of 18 December 1979

Entered into force 3 September 1981, in accordance with article 27(1)

The States Parties to the Present Convention,

Noting that the Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,

Considering the international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women,

Noting also the resolutions, declarations and recommendations adopted by the United Nations and the specialized agencies promoting equality of rights of men and women,

Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,

Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity,

Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs,

Convinced that the establishment of the new international economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

Emphasizing that the eradication of apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women,

Affirming that the strengthening of international peace and security, the relaxation of international tension, mutual cooperation among all States irrespective of their social and economic systems, general and complete disarmament, in particular nuclear disarmament under strict and effective international control, the affirmation of the principles of justice, equality and mutual benefit in relations among countries and the realization of the right of peoples under alien and colonial domination and foreign occupation to self-determination and independence, as well as respect for national sovereignty and territorial integrity, will promote social progress and development and as a consequence will contribute to the attainment of full equality between men and women,

Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields,

Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole,

Aware that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women,

Determined to implement the principles set forth in the Declaration on the Elimination of Discrimination against Women and, for that purpose, to adopt the measures required for the elimination of such discrimination in all its forms and manifestations,

Have agreed on the following:

Part I

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Article 4

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 6

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Part II

Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 8

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

Part III

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particulary those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same Opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as an inalienable right of all human beings;

(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the postnatal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;

(b) The right to bank loans, mortgages and other forms of financial credit;

(c) The right to participate in recreational activities, sports and all aspects of cultural life.

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Part IV

Article 15

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 16

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(a) The same right to enter into marriage;

(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

(c) The same rights and responsibilities during marriage and at its dissolution;

(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Part V

Article 17

1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.

6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.

7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.

8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.

9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

Article 18

1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:

(a) Within one year after the entry into force for the State concerned;

(b) Thereafter at least every four years and further whenever the Committee so requests.

2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.

Article 19

1. The Committee shall adopt its own rules of procedure.

2. The Committee shall elect its officers for a term of two years.

Article 20

1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.

2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee.

Article 21

1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.

2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.

Article 22

The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.

Part VI

Article 23

Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:

(a) In the legislation of a State Party; or

(b) In any other international convention, treaty or agreement in force for that State.

Article 24

States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.

Article 25

1. The present Convention shall be open for signature by all States.

2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.

3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 26

1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.

Article 27

1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.

Article 29

1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.

3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 30

The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.

DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Proclaimed by General Assembly resolution 48/104 of 20 December 1993

The General Assembly,

Recognizing the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings,

Noting that those rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recognizing that effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, set forth in the present resolution, will strengthen and complement that process,

Concerned that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, in which a set of measures to combat violence against women was recommended, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

Affirming that violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and freedoms in the case of violence against women,

Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

Concerned that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

Recalling the conclusion in paragraph 23 of the annex to Economic and Social Council resolution 1990/15 of 24 May 1990 that the recognition that violence against women in the family and society was pervasive and cut across lines of income, class and culture had to be matched by urgent and effective steps to eliminate its incidence,

Recalling also Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

Welcoming the role that women's movements are playing in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

Alarmed that opportunities for women to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence,

Convinced that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large to the elimination of violence against women,

Solemnly proclaims the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

Article 1

For the purposes of this Declaration, the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 2

Violence against women shall be understood to encompass, but not be limited to, the following:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Article 3

Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:

(a) The right to life;

(b) The right to equality;

(c) The right to liberty and security of person;

(d) The right to equal protection under the law;

(e) The right to be free from all forms of discrimination;

(f) The right to the highest standard attainable of physical and mental health;

(g) The right to just and favourable conditions of work;

(h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

Article 4

States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:

(a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;

(b) Refrain from engaging in violence against women;

(c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

(d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;

(e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that

purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with the issue of violence against women;

(f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;

(g) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;

(h) Include in government budgets adequate resources for their activities related to the elimination of violence against women;

(i) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;

(j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

(k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;

(l) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence;

(m) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;

(n) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;

(o) Recognize the important role of the women's movement and non-governmental organizations world wide in raising awareness and alleviating the problem of violence against women;

(p) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;

(q) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

Article 5

The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:

(a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;

(b) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;

(c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;

(d) Include in analyses prepared by organizations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;

(e) Encourage coordination between organizations and bodies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;

(f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;

(g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;

(h) Cooperate with non-governmental organizations in addressing the issue of violence against women.

Article 6

Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State.

CONVENTION ON THE RIGHTS OF THE CHILD

Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989

Entered into force 2 September 1990, in accordance with article 49

Preamble

The States Parties to the Present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth,"

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

Part I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the inter-

ests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption

is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity;

(b) The exploitative use of children in prostitution or other unlawful sexual practices;

(c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

(a) The law of a State party; or

(b) International law in force for that State.

Part II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems. (amendment)

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

Part III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.

DECLARATION ON THE RIGHTS OF DISABLED PERSONS

Proclaimed by General Assembly resolution 3447 (XXX) of 9 December 1975

The General Assembly,

Mindful of the pledge made by Member States, under the Charter of the United Nations to take joint and separate action in co-operation with the Organization to promote higher standards of living, full employment and conditions of economic and social progress and development,

Reaffirming its faith in human rights and fundamental freedoms and in the principles of peace, of the dignity and worth of the human person and of social justice proclaimed in the Charter,

Recalling the principles of the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Declaration of the Rights of the Child and the Declaration on the Rights of Mentally Retarded Persons, as well as the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Children's Fund and other organizations concerned,

Recalling also Economic and Social Council resolution 1921 (LVIII) of 6 May 1975 on the prevention of disability and the rehabilitation of disabled persons,

Emphasizing that the Declaration on Social Progress and Development has proclaimed the necessity of protecting the rights and assuring the welfare and rehabilitation of the physically and mentally disadvantaged,

Bearing in mind the necessity of preventing physical and mental disabilities and of assisting disabled persons to develop their abilities in the most varied fields of activities and of promoting their integration as far as possible in normal life,

Aware that certain countries, at their present stage of development, can devote only limited efforts to this end,

Proclaims this Declaration on the Rights of Disabled Persons and calls for national and international action to ensure that it will be used as a common basis and frame of reference for the protection of these rights:

1. The term "disabled person" means any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in his or her physical or mental capabilities.

2. Disabled persons shall enjoy all the rights set forth in this Declaration. These rights shall be granted to all disabled persons without any exception whatsoever and without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family.

3. Disabled persons have the inherent right to respect for their human dignity. Disabled persons, whatever the origin, nature and seriousness of their handicaps and disabilities, have the same fundamental rights as their fellow-citizens of the same age, which implies first and foremost the right to enjoy a decent life, as normal and full as possible.

4. Disabled persons have the same civil and political rights as other human beings; paragraph 7 of the Declaration on the Rights of Mentally Retarded Persons applies to any possible limitation or suppression of those rights for mentally disabled persons.

5. Disabled persons are entitled to the measures designed to enable them to become as self-reliant as possible.

6. Disabled persons have the right to medical, psychological and functional treatment, including prosthetic and orthetic appliances, to medical and social rehabilitation, education, vocational training and rehabilitation, aid, counselling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the processes of their social integration or reintegration.

7. Disabled persons have the right to economic and social security and to a decent level of living. They have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions.

8. Disabled persons are entitled to have their special needs taken into consideration at all stages of economic and social planning.

9. Disabled persons have the right to live with their families or with foster parents and to participate in all social, creative or recreational activities. No disabled person shall be subjected, as far as his or her residence is concerned, to differential treatment other than that required by his or her condition or by the improvement which he or she may derive therefrom. If the stay of a disabled person in a specialized establishment is indispensable, the environment and living conditions therein shall be as close as possible to those of the normal life of a person of his or her age.

10. Disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature.

11. Disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property. If judicial proceedings are instituted against them, the legal procedure applied shall take their physical and mental condition fully into account.

12. Organizations of disabled persons may be usefully consulted in all matters regarding the rights of disabled persons.

13. Disabled persons, their families and communities shall be fully informed, by all appropriate means, of the rights contained in this Declaration.

BASIC PRINCIPLES ON THE INDEPENDENCE OF THE JUDICIARY

Adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held at Milan from 26 August to 6 September 1985 and endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985

Whereas in the Charter of the United Nations the peoples of the world affirm, inter alia, their determination to establish

conditions under which justice can be maintained to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms without any discrimination,

Whereas the Universal Declaration of Human Rights enshrines in particular the principles of equality before the law, of the presumption of innocence and of the right to a fair and public hearing by a competent, independent and impartial tribunal established by law,

Whereas the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights both guarantee the exercise of those rights, and in addition, the Covenant on Civil and Political Rights further guarantees the right to be tried without undue delay,

Whereas frequently there still exists a gap between the vision underlying those principles and the actual situation,

Whereas the organization and administration of justice in every country should be inspired by those principles, and efforts should be undertaken to translate them fully into reality,

Whereas rules concerning the exercise of judicial office should aim at enabling judges to act in accordance with those principles,

Whereas judges are charged with the ultimate decision over life, freedoms, rights, duties and property of citizens,

Whereas the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, by its resolution 16, called upon the Committee on Crime Prevention and Control to include among its priorities the elaboration of guidelines relating to the independence of judges and the selection, professional training and status of judges and prosecutors,

Whereas it is, therefore, appropriate that consideration be first given to the role of judges in relation to the system of justice and to the importance of their selection, training and conduct,

The following basic principles, formulated to assist Member States in their task of securing and promoting the independence of the judiciary should be taken into account and respected by Governments within the framework of their national legislation and practice and be brought to the attention of judges, lawyers, members of the executive and the legislature and the public in general. The principles have been formulated principally with professional judges in mind, but they apply equally, as appropriate, to lay judges, where they exist.

Independence of The Judiciary

1. The independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all governmental and other institutions to respect and observe the independence of the judiciary.

2. The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.

3. The judiciary shall have jurisdiction over all issues of a judicial nature and shall have exclusive authority to decide whether an issue submitted for its decision is within its competence as defined by law.

4. There shall not be any inappropriate or unwarranted interference with the judicial process, nor shall judicial decisions by the courts be subject to revision. This principle is without prejudice to judicial review or to mitigation or commutation by competent authorities of sentences imposed by the judiciary, in accordance with the law.

5. Everyone shall have the right to be tried by ordinary courts or tribunals using established legal procedures. Tribunals that do not use the duly established procedures of the legal process shall not be created to displace the jurisdiction belonging to the ordinary courts or judicial tribunals.

6. The principle of the independence of the judiciary entitles and requires the judiciary to ensure that judicial proceedings are conducted fairly and that the rights of the parties are respected.

7. It is the duty of each Member State to provide adequate resources to enable the judiciary to properly perform its functions.

Freedom of Expression and Association

8. In accordance with the Universal Declaration of Human Rights, members of the judiciary are like other citizens entitled to freedom of expression, belief, association and assembly; provided, however, that in exercising such rights, judges shall always conduct themselves in such a manner as to preserve the dignity of their office and the impartiality and independence of the judiciary.

9. Judges shall be free to form and join associations of judges or other organizations to represent their interests, to promote their professional training and to protect their judicial independence.

Qualifications, Selection and Training

10. Persons selected for judicial office shall be individuals of integrity and ability with appropriate training or qualifications in law. Any method of judicial selection shall safeguard against judicial appointments for improper motives. In the selection of judges, there shall be no discrimination against a person on the grounds of race, colour, sex, religion, political or other opinion, national or social origin, property, birth or status, except that a requirement, that a candidate for judicial office must be a national of the country concerned, shall not be considered discriminatory.

Conditions of Service and Tenure

11. The term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and the age of retirement shall be adequately secured by law.

12. Judges, whether appointed or elected, shall have guaranteed tenure until a mandatory retirement age or the expiry of their term of office, where such exists.

13. Promotion of judges, wherever such a system exists, should be based on objective factors, in particular ability, integrity and experience.

14. The assignment of cases to judges within the court to which they belong is an internal matter of judicial administration, professional secrecy and immunity.

15. The judiciary shall be bound by professional secrecy with regard to their deliberations and to confidential information acquired in the course of their duties other than in public proceedings, and shall not be compelled to testify on such matters.

16. Without prejudice to any disciplinary procedure or to any right of appeal or to compensation from the State, in accordance with national law, judges should enjoy personal immunity from civil suits for monetary damages for improper acts or omissions in the exercise of their judicial functions.

Discipline, Suspension and Removal

17. A charge or complaint made against a judge in his/her judicial and professional capacity shall be processed expeditiously and fairly under an appropriate procedure. The judge shall have the right to a fair hearing. The examination of the matter at its initial stage shall be kept confidential, unless otherwise requested by the judge.

18. Judges shall be subject to suspension or removal only for reasons of incapacity or behaviour that renders them unfit to discharge their duties.

19. All disciplinary, suspension or removal proceedings shall be determined in accordance with established standards of judicial conduct.

20. Decisions in disciplinary, suspension or removal proceedings should be subject to an independent review. This principle may not apply to the decisions of the highest court and those of the legislature in impeachment or similar proceedings.

CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

Adopted by General Assembly resolution 34/169 of 17 December 1979

Article 1

Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving the community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Commentary:

(a) The term "law enforcement officials,' includes all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention.

(b) In countries where police powers are exercised by military authorities, whether uniformed or not, or by State security forces, the definition of law enforcement officials shall be regarded as including officers of such services.

(c) Service to the community is intended to include particularly the rendition of services of assistance to those members of the community who by reason of personal, economic, social or other emergencies are in need of immediate aid.

(d) This provision is intended to cover not only all violent, predatory and harmful acts, but extends to the full range of prohibitions under penal statutes. It extends to conduct by persons not capable of incurring criminal liability.

Article 2

In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.

Commentary:

(a) The human rights in question are identified and protected by national and international law. Among the rel-

evant international instruments are the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Standard Minimum Rules for the Treatment of Prisoners and the Vienna Convention on Consular Relations.

(b) National commentaries to this provision should indicate regional or national provisions identifying and protecting these rights.

Article 3

Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Commentary:

(a) This provision emphasizes that the use of force by law enforcement officials should be exceptional; while it implies that law enforcement officials may be authorized to use force as is reasonably necessary under the circumstances for the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders, no force going beyond that may be used.

(b) National law ordinarily restricts the use of force by law enforcement officials in accordance with a principle of proportionality. It is to be understood that such national principles of proportionality are to be respected in the interpretation of this provision. In no case should this provision be interpreted to authorize the use of force which is disproportionate to the legitimate objective to be achieved.

(c) The use of firearms is considered an extreme measure. Every effort should be made to exclude the use of firearms, especially against children. In general, firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others and less extreme measures are not sufficient to restrain or apprehend the suspected offender. In every instance in which a firearm is discharged, a report should be made promptly to the competent authorities.

Article 4

Matters of a confidential nature in the possession of law enforcement officials shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.

Commentary:

By the nature of their duties, law enforcement officials obtain information which may relate to private lives or be potentially harmful to the interests, and especially the reputation, of others. Great care should be exercised in safeguarding and using such information, which should be disclosed only in the performance of duty or to serve the needs of justice. Any disclosure of such information for other purposes is wholly improper.

Article 5

No law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment, nor may any law enforcement official invoke superior orders or exceptional circumstances such as a state of war or a threat of war, a threat to national security, internal political instability or any other public emergency as a justification of torture or other cruel, inhuman or degrading treatment or punishment.

Commentary:

(a) This prohibition derives from the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly, according to which: "[Such an act is] an offence to human dignity and shall be condemned as a denial of the purposes of the Charter of the United Nations and as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights [and other international human rights instruments]."

(b) The Declaration defines torture as follows:

". . . torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners."

(c) The term "cruel, inhuman or degrading treatment or punishment" has not been defined by the General Assembly but should be interpreted so as to extend the widest possible protection against abuses, whether physical or mental.

Article 6

Law enforcement officials shall ensure the full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required.

Commentary:

(a) "Medical attention," which refers to services rendered by any medical personnel, including certified medical practitioners and paramedics, shall be secured when needed or requested.

(b) While the medical personnel are likely to be attached to the law enforcement operation, law enforcement officials must take into account the judgement of such personnel when they recommend providing the person in custody with appropriate treatment through, or in consultation with, medical personnel from outside the law enforcement operation.

(c) It is understood that law enforcement officials shall also secure medical attention for victims of violations of law or of accidents occurring in the course of violations of law.

Article 7

Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts.

Commentary:

(a) Any act of corruption, in the same way as any other abuse of authority, is incompatible with the profession of law enforcement officials. The law must be enforced fully with respect to any law enforcement official who commits an act of corruption, as Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce the law against their own agents and within their agencies.

(b) While the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connection with one's duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted.

(c) The expression "act of corruption" referred to above should be understood to encompass attempted corruption.

Article 8

Law enforcement officials shall respect the law and the present Code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them.

Law enforcement officials who have reason to believe that a violation of the present Code has occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.

Commentary:

(a) This Code shall be observed whenever it has been incorporated into national legislation or practice. If legislation or practice contains stricter provisions than those of the present Code, those stricter provisions shall be observed.

(b) The article seeks to preserve the balance between the need for internal discipline of the agency on which public safety is largely dependent, on the one hand, and the need for dealing with violations of basic human rights, on the other. Law enforcement officials shall report violations within the chain of command and take other lawful action outside the chain of command only when no other remedies are available or effective. It is understood that law enforcement officials shall not suffer administrative or other penalties because they have reported that a violation of this Code has occurred or is about to occur.

(c) The term "appropriate authorities or organs vested with reviewing or remedial power" refers to any authority or organ existing under national law, whether internal to the law enforcement agency or independent thereof, with statutory, customary or other power to review grievances and complaints arising out of violations within the purview of this Code.

(d) In some countries, the mass media may be regarded as performing complaint review functions similar to those described in subparagraph (c) above. Law enforcement officials may, therefore, be justified if, as a last resort and in accordance with the laws and customs of their own countries and with the provisions of article 4 of the present Code, they bring violations to the attention of public opinion through the mass media.

(e) Law enforcement officials who comply with the provisions of this Code deserve the respect, the full support

and the co-operation of the community and of the law enforcement agency in which they serve, as well as the law enforcement profession.

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984

Entered into force 26 June 1987, in accordance with article 27 (1)

The States Parties to this Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recognizing that those rights derive from the inherent dignity of the human person,

Considering the obligation of States under the Charter, in particular Article 55, to promote universal respect for, and observance of, human rights and fundamental freedoms,

Having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Having regard also to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly on 9 December 1975,

Desiring to make more effective the struggle against torture and other cruel, inhuman or degrading treatment or punishment throughout the world,

Have agreed as follows:

Part I

Article 1

1. For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

2. This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.

Article 2

1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.

3. An order from a superior officer or a public authority may not be invoked as a justification of torture.

Article 3

1. No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights.

Article 4

1. Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.

2. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.

Article 5

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 4 in the following cases:

(a) When the offences are committed in any territory under its jurisdiction or on board a ship or aircraft registered in that State;

(b) When the alleged offender is a national of that State;

(c) When the victim is a national of that State if that State considers it appropriate.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over such offences in cases where the alleged offender is present in any territory under its jurisdiction and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph 1 of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 6

1. Upon being satisfied, after an examination of information available to it, that the circumstances so warrant, any State Party in whose territory a person alleged to have committed any offence referred to in article 4 is present shall take him into custody or take other legal measures to ensure his presence. The custody and other legal measures shall be as provided in the law of that State but may be continued only for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary inquiry into the facts.

3. Any person in custody pursuant to paragraph 1 of this article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national, or, if he is a stateless person, with the representative of the State where he usually resides.

4. When a State, pursuant to this article, has taken a person into custody, it shall immediately notify the States referred to in article 5, paragraph 1, of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary inquiry contemplated in paragraph 2 of this article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 7

1. The State Party in the territory under whose jurisdiction a person alleged to have committed any offence referred to in article 4 is found shall in the cases contemplated in article 5, if it does not extradite him, submit the case to its competent authorities for the purpose of prosecution.

2. These authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State. In the cases referred to in article 5, paragraph 2, the standards of evidence required for prosecution and conviction shall in no way be less stringent than those which apply in the cases referred to in article 5, paragraph 1.

3. Any person regarding whom proceedings are brought in connection with any of the offences referred to in article 4 shall be guaranteed fair treatment at all stages of the proceedings.

Article 8

1. The offences referred to in article 4 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention as the legal basis for extradition in respect of such offences. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 5, paragraph 1.

Article 9

1. States Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of any of the offences referred to in article 4, including the supply of all evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of this article in conformity with any treaties on mutual judicial assistance that may exist between them.

Article 10

1. Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treat-

ment of any individual subjected to any form of arrest, detention or imprisonment.

2. Each State Party shall include this prohibition in the rules or instructions issued in regard to the duties and functions of any such person.

Article 11

Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture.

Article 12

Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

Article 13

Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

Article 14

1. Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation.

2. Nothing in this article shall affect any right of the victim or other persons to compensation which may exist under national law.

Article 15

Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

Article 16

1. Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article 1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment.

2. The provisions of this Convention are without prejudice to the provisions of any other international instrument or national law which prohibits cruel, inhuman or degrading treatment or punishment or which relates to extradition or expulsion.

Part II

Article 17

1. There shall be established a Committee against Torture (hereinafter referred to as the Committee) which shall carry out the functions hereinafter provided. The Committee shall consist of ten experts of high moral standing and recognized competence in the field of human rights, who shall serve in their personal capacity. The experts shall be elected by the States Parties, consideration being given to equitable geographical distribution and to the usefulness of the participation of some persons having legal experience.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals. States Parties shall bear in mind the usefulness of nominating persons who are also members of the Human Rights Committee established under the International Covenant on Civil and Political Rights and who are willing to serve on the Committee against Torture.

3. Elections of the members of the Committee shall be held at biennial meetings of States Parties convened by the Secretary-General of the United Nations. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

4. The initial election shall be held no later than six months after the date of the entry into force of this Convention. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter

to the States Parties inviting them to submit their nominations within three months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.

5. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. However, the term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these five members shall be chosen by lot by the chairman of the meeting referred to in paragraph 3 of this article.

6. If a member of the Committee dies or resigns or for any other cause can no longer perform his Committee duties, the State Party which nominated him shall appoint another expert from among its nationals to serve for the remainder of his term, subject to the approval of the majority of the States Parties. The approval shall be considered given unless half or more of the States Parties respond negatively within six weeks after having been informed by the Secretary-General of the United Nations of the proposed appointment.

7. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties. (amendment [see General Assembly resolution 47/111 of 16 December 1992]; status of ratification)

Article 18

1. The Committee shall elect its officers for a term of two years. They may be re-elected.

2. The Committee shall establish its own rules of procedure, but these rules shall provide, inter alia, that:

(a) Six members shall constitute a quorum;

(b) Decisions of the Committee shall be made by a majority vote of the members present.

3. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under this Convention.

4. The Secretary-General of the United Nations shall convene the initial meeting of the Committee. After its initial meeting, the Committee shall meet at such times as shall be provided in its rules of procedure.

5. The States Parties shall be responsible for expenses incurred in connection with the holding of meetings of the States Parties and of the Committee, including reimbursement to the United Nations for any expenses, such as the cost of staff and facilities, incurred by the United Nations pursuant to paragraph 3 of this article. (amendment [see General Assembly resolution 47/111 of 16 December 1992]; status of ratification)

Article 19

1. The States Parties shall submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have taken to give effect to their undertakings under this Convention, within one year after the entry into force of the Convention for the State Party concerned. Thereafter the States Parties shall submit supplementary reports every four years on any new measures taken and such other reports as the Committee may request.

2. The Secretary-General of the United Nations shall transmit the reports to all States Parties.

3. Each report shall be considered by the Committee which may make such general comments on the report as it may consider appropriate and shall forward these to the State Party concerned. That State Party may respond with any observations it chooses to the Committee.

4. The Committee may, at its discretion, decide to include any comments made by it in accordance with paragraph 3 of this article, together with the observations thereon received from the State Party concerned, in its annual report made in accordance with article 24. If so requested by the State Party concerned, the Committee may also include a copy of the report submitted under paragraph 1 of this article.

Article 20

1. If the Committee receives reliable information which appears to it to contain well-founded indications that torture is being systematically practised in the territory of a State Party, the Committee shall invite that State Party to co-operate in the examination of the information and to this end to submit observations with regard to the information concerned.

2. Taking into account any observations which may have been submitted by the State Party concerned, as well as any other relevant information available to it, the Committee may, if it decides that this is warranted, designate one or more of its members to make a confidential inquiry and to report to the Committee urgently.

3. If an inquiry is made in accordance with paragraph 2 of this article, the Committee shall seek the co-operation of the State Party concerned. In agreement with that State Party, such an inquiry may include a visit to its territory.

4. After examining the findings of its member or members submitted in accordance with paragraph 2 of this article, the Commission shall transmit these findings to the State Party concerned together with any comments or suggestions which seem appropriate in view of the situation.

5. All the proceedings of the Committee referred to in paragraphs 1 to 4 of this article shall be confidential, and at all stages of the proceedings the co-operation of the State Party shall be sought. After such proceedings have been completed with regard to an inquiry made in accordance with paragraph 2, the Committee may, after consultations with the State Party concerned, decide to include a summary account of the results of the proceedings in its annual report made in accordance with article 24.

Article 21

1. A State Party to this Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under this Convention. Such communications may be received and considered according to the procedures laid down in this article only if submitted by a State Party which has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be dealt with by the Committee under this article if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(a) If a State Party considers that another State Party is not giving effect to the provisions of this Convention, it may, by written communication, bring the matter to the attention of that State Party. Within three months after the receipt of the communication the receiving State shall afford the State which sent the communication an explanation or any other statement in writing clarifying the matter, which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending or available in the matter;

(b) If the matter is not adjusted to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(c) The Committee shall deal with a matter referred to it under this article only after it has ascertained that all domestic remedies have been invoked and exhausted in the matter, in conformity with the generally recognized principles of international law. This shall not be the rule where the application of the remedies is unreasonably prolonged or is unlikely to bring effective relief to the person who is the victim of the violation of this Convention;

(d) The Committee shall hold closed meetings when examining communications under this article;

(e) Subject to the provisions of subparagraph (c), the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of respect for the obligations provided for in this Convention. For this purpose, the Committee may, when appropriate, set up an ad hoc conciliation commission;

(f) In any matter referred to it under this article, the Committee may call upon the States Parties concerned, referred to in subparagraph (b), to supply any relevant information;

(g) The States Parties concerned, referred to in subparagraph (b), shall have the right to be represented when the matter is being considered by the Committee and to make submissions orally and/or in writing;

(h) The Committee shall, within twelve months after the date of receipt of notice under subparagraph (b), submit a report:

(i) If a solution within the terms of subparagraph (e) is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;

(ii) If a solution within the terms of subparagraph (e) is not reached, the Committee shall confine its report to a brief statement of the facts; the written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report.

In every matter, the report shall be communicated to the States Parties concerned.

2. The provisions of this article shall come into force when five States Parties to this Convention have made declarations under paragraph 1 of this article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter which is the subject of a communication already transmitted under this article; no further communication by any State Party

shall be received under this article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

Article 22

1. A State Party to this Convention may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration.

2. The Committee shall consider inadmissible any communication under this article which is anonymous or which it considers to be an abuse of the right of submission of such communications or to be incompatible with the provisions of this Convention.

3. Subject to the provisions of paragraph 2, the Committee shall bring any communications submitted to it under this article to the attention of the State Party to this Convention which has made a declaration under paragraph 1 and is alleged to be violating any provisions of the Convention. Within six months, the receiving State shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been taken by that State.

4. The Committee shall consider communications received under this article in the light of all information made available to it by or on behalf of the individual and by the State Party concerned.

5. The Committee shall not consider any communications from an individual under this article unless it has ascertained that:

(a) The same matter has not been, and is not being, examined under another procedure of international investigation or settlement;

(b) The individual has exhausted all available domestic remedies; this shall not be the rule where the application of the remedies is unreasonably prolonged or is unlikely to bring effective relief to the person who is the victim of the violation of this Convention.

6. The Committee shall hold closed meetings when examining communications under this article.

7. The Committee shall forward its views to the State Party concerned and to the individual.

8. The provisions of this article shall come into force when five States Parties to this Convention have made declarations under paragraph 1 of this article. Such declarations shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter which is the subject of a communication already transmitted under this article; no further communication by or on behalf of an individual shall be received under this article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party has made a new declaration.

Article 23

The members of the Committee and of the ad hoc conciliation commissions which may be appointed under article 21, paragraph 1 (e), shall be entitled to the facilities, privileges and immunities of experts on mission for the United Nations as laid down in the relevant sections of the Convention on the Privileges and Immunities of the United Nations.

Article 24

The Committee shall submit an annual report on its activities under this Convention to the States Parties and to the General Assembly of the United Nations.

Part III

Article 25

1. This Convention is open for signature by all States.

2. This Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 26

This Convention is open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 27

1. This Convention shall enter into force on the thirtieth day after the date of the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying this Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 28

1. Each State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not recognize the competence of the Committee provided for in article 20.

2. Any State Party having made a reservation in accordance with paragraph 1 of this article may, at any time, withdraw this reservation by notification to the Secretary-General of the United Nations.

Article 29

1. Any State Party to this Convention may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to the States Parties with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that within four months from the date of such communication at least one third of the States Parties favours such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of the States Parties present and voting at the conference shall be submitted by the Secretary-General to all the States Parties for acceptance.

2. An amendment adopted in accordance with paragraph 1 of this article shall enter into force when two thirds of the States Parties to this Convention have notified the Secretary-General of the United Nations that they have accepted it in accordance with their respective constitutional processes.

3. When amendments enter into force, they shall be binding on those States Parties which have accepted them, other States Parties still being bound by the provisions of this Convention and any earlier amendments which they have accepted.

Article 30

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from thc date of the request for arbitration the Parties are unable to agree on the organization of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by paragraph 1 of this article with respect to any State Party having made such a reservation.

3. Any State Party having made a reservation in accordance with paragraph 2 of this article may at any time withdraw this reservation by notification to the Secretary-General of the United Nations.

Article 31

1. A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under this Convention in regard to any act or omission which occurs prior to the date at which the denunciation becomes effective, nor shall denunciation prejudice in any way the continued consideration of any matter which is already under consideration by the Committee prior to the date at which the denunciation becomes effective.

3. Following the date at which the denunciation of a State Party becomes effective, the Committee shall not commence consideration of any new matter regarding that State.

Article 32

The Secretary-General of the United Nations shall inform all States Members of the United Nations and all States which have signed this Convention or acceded to it of the following:

(a) Signatures, ratifications and accessions under articles 25 and 26;

(b) The date of entry into force of this Convention under article 27 and the date of the entry into force of any amendments under article 29;

(c) Denunciations under article 31.

Article 33

1. This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of this Convention to all States.

UNIVERSAL DECLARATION ON THE ERADICATION OF HUNGER AND MALNUTRITION

Adopted on 16 November 1974 by the World Food Conference convened under General Assembly resolution 3180

(XXVIII) of 17 December 1973; and endorsed by General Assembly resolution 3348 (XXIX) of 17 December 1974

The World Food Conference,

Convened by the General Assembly of the United Nations and entrusted with developing ways and means whereby the international community, as a whole, could take specific action to resolve the world food problem within the broader context of development and international economic co-operation,

Adopts the following Declaration:

Universal Declaration on the Eradication of Hunger and Malnutrition

Recognizing that:

(a) The grave food crisis that is afflicting the peoples of the developing countries where most of the world's hungry and ill-nourished live and where more than two thirds of the world's population produce about one third of the world's food—an imbalance which threatens to increase in the next 10 years—is not only fraught with grave economic and social implications, but also acutely jeopardizes the most fundamental principles and values associated with the right to life and human dignity as enshrined in the Universal Declaration of Human Rights;

(b) The elimination of hunger and malnutrition, included as one of the objectives in the United Nations Declaration on Social Progress and Development, and the elimination of the causes that determine this situation are the common objectives of all nations;

(c) The situation of the peoples afflicted by hunger and malnutrition arises from their historical circumstances, especially social inequalities, including in many cases alien and colonial domination, foreign occupation, racial discrimination, apartheid and neo-colonialism in all its forms, which continue to be among the greatest obstacles to the full emancipation and progress of the developing countries and all the peoples involved;

(d) This situation has been aggravated in recent years by a series of crises to which the world economy has been subjected, such as the deterioration in the international monetary system, the inflationary increase in import costs, the heavy burdens imposed by external debt on the balance of payments of many developing countries, a rising food demand partly due to demographic pressure, speculation, and a shortage of, and increased costs for, essential agricultural inputs;

(e) These phenomena should be considered within the framework of the on-going negotiations on the Charter of Economic Rights and Duties of States, and the General Assembly of the United Nations should be urged unanimously to agree upon, and to adopt, a Charter that will be an effective instrument for the establishment of new international economic relations based on principles of equity and justice;

(f) All countries, big or small, rich or poor, are equal. All countries have the full right to participate in the decisions on the food problem;

(g) The well-being of the peoples of the world largely depends on the adequate production and distribution of food as well as the establishment of a world food security system which would ensure adequate availability of, and reasonable prices for, food at all times, irrespective of periodic fluctuations and vagaries of weather and free of political and economic pressures, and should thus facilitate, amongst other things, the development process of developing countries;

(h) Peace and justice encompass an economic dimension helping the solution of the world economic problems, the liquidation of under-development, offering a lasting and definitive solution of the food problem for all peoples and guaranteeing to all countries the right to implement freely and effectively their development programmes. To this effect, it is necessary to eliminate threats and resort to force and to promote peaceful co-operation between States to the fullest extent possible, to apply the principles of non-interference in the internal affairs of other States, full equality of rights and respect of national independence and sovereignty, as well as to encourage the peaceful co-operation between all States, irrespective of their political, social and economic systems. The further improvement of international relations will create better conditions for international co-operation in all fields which should make possible large financial and material resources to be used, inter alia, for developing agricultural production and substantially improving world food security;

(i) For a lasting solution of the food problem all efforts should be made to eliminate the widening gaps which today separate developed and developing countries and to bring about a new international economic order. It should be possible for all countries to participate actively and effectively in the new international economic relations by the establishment of suitable international systems, where appropriate, capable of producing adequate action in order to establish just and equitable relations in international economic co-operation;

(j) Developing countries reaffirm their belief that the primary responsibility for ensuring their own rapid de-

velopment rests with themselves. They declare, therefore, their readiness to continue to intensify their individual and collective efforts with a view to expanding their mutual co-operation in the field of agricultural development and food production, including the eradication of hunger and malnutrition;

(k) Since, for various reasons, many developing countries are not yet always able to meet their own food needs, urgent and effective international action should be taken to assist them, free of political pressures.

Consistent with the aims and objectives of the Declaration on the Establishment of a New International Economic Order and the Programme of Action adopted by the General Assembly at its sixth special session,

The Conference consequently solemnly proclaims:

1. Every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties. Society today already possesses sufficient resources, organizational ability and technology and hence the competence to achieve this objective. Accordingly, the eradication of hunger is a common objective of all the countries of the international community, especially of the developed countries and others in a position to help.

2. It is a fundamental responsibility of Governments to work together for higher food production and a more equitable and efficient distribution of food between countries and within countries. Governments should initiate immediately a greater concerted attack on chronic malnutrition and deficiency diseases among the vulnerable and lower income groups. In order to ensure adequate nutrition for all, Governments should formulate appropriate food and nutrition policies integrated in overall socio-economic and agricultural development plans based on adequate knowledge of available as well as potential food resources. The importance of human milk in this connection should be stressed on nutritional grounds.

3. Food problems must be tackled during the preparation and implementation of national plans and programmes for economic and social development, with emphasis on their humanitarian aspects.

4. It is a responsibility of each State concerned, in accordance with its sovereign judgement and internal legislation, to remove the obstacles to food production and to provide proper incentives to agricultural producers. Of prime importance for the attainment of these objectives are effective measures of socio-economic transformation by agrarian, tax, credit and investment policy reform and the reorganization of rural structures, such as the reform of the conditions of ownership, the encouragement of producer and consumer co-operatives, the mobilization of the full potential of human resources, both male and female, in the developing countries for an integrated rural development and the involvement of small farmers, fishermen and landless workers in attaining the required food production and employment targets. Moreover, it is necessary to recognize the key role of women in agricultural production and rural economy in many countries, and to ensure that appropriate education, extension programmes and financial facilities are made available to women on equal terms with men.

5. Marine and inland water resources are today becoming more important than ever as a source of food and economic prosperity. Accordingly, action should be taken to promote a rational exploitation of these resources, preferably for direct consumption, in order to contribute to meeting the food requirements of all peoples.

6. The efforts to increase food production should be complemented by every endeavour to prevent wastage of food in all its forms.

7. To give impetus to food production in developing countries and in particular in the least developed and most seriously affected among them, urgent and effective international action should be taken, by the developed countries and other countries in a position to do so, to provide them with sustained additional technical and financial assistance on favourable terms and in a volume sufficient to their needs on the basis of bilateral and multilateral arrangements. This assistance must be free of conditions inconsistent with the sovereignty of the receiving States.

8. All countries, and primarily the highly industrialized countries, should promote the advancement of food production technology and should make all efforts to promote the transfer, adaptation and dissemination of appropriate food production technology for the benefit of the developing countries and, to that end, they should inter alia make all efforts to disseminate the results of their research work to Governments and scientific institutions of developing countries in order to enable them to promote a sustained agricultural development.

9. To assure the proper conservation of natural resources being utilized, or which might be utilized, for food production, all countries must collaborate in order to facilitate the preservation of the environment, including the marine environment.

10. All developed countries and others able to do so should collaborate technically and financially with the developing countries in their efforts to expand land and water resources for agricultural production and to assure a rapid increase in the availability, at fair costs, of agricultural inputs such as fertilizers and other chemicals, high-quality seeds, credit and technology. Co-operation among developing countries, in this connection, is also important.

11. All States should strive to the utmost to readjust, where appropriate, their agricultural policies to give priority to food production, recognizing, in this connection the interrelationship between the world food problem and international trade. In the determination of attitudes towards farm support programmes for domestic food production, developed countries should take into account, as far as possible, the interest of the food-exporting developing countries, in order to avoid detrimental effect on their exports. Moreover, all countries should co-operate to devise effective steps to deal with the problem of stabilizing world markets and promoting equitable and remunerative prices, where appropriate through international arrangements, to improve access to markets through reduction or elimination of tariff and non-tariff barriers on the products of interest to the developing countries, to substantially increase the export earnings of these countries, to contribute to the diversification of their exports, and apply to them, in the multilateral trade negotiations, the principles as agreed upon in the Tokyo Declaration, including the concept of non-reciprocity and more favourable treatment.

12. As it is the common responsibility of the entire international community to ensure the availability at all times of adequate world supplies of basic food-stuffs by way of appropriate reserves, including emergency reserves, all countries should co-operate in the establishment of an effective system of world food security by:

Participating in and supporting the operation of the Global Information and Early Warning System on Food and Agriculture;

Adhering to the objectives, policies and guidelines of the proposed International Undertaking on World Food Security as endorsed by the World Food Conference;

Earmarking, where possible, stocks or funds for meeting international emergency food requirements as envisaged in the proposed International Undertaking on World Food Security and developing international guidelines to provide for the co-ordination and the utilization of such stocks;

Co-operating in the provision of food aid for meeting emergency and nutritional needs as well as for stimulating rural employment through development projects.

All donor countries should accept and implement the concept of forward planning of food aid and make all efforts to provide commodities and/or financial assistance that will ensure adequate quantities of grains and other food commodities.

Time is short. Urgent and sustained action is vital. The Conference, therefore, calls upon all peoples expressing their will as individuals, and through their Governments, and non-governmental organizations, to work together to bring about the end of the age-old scourge of hunger.

The Conference affirms:

The determination of the participating States to make full use of the United Nations system in the implementation of this Declaration and the other decisions adopted by the Conference.

CONVENTION RELATING TO THE STATUS OF REFUGEES

Adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950

Entered into force 22 April 1954, in accordance with article 43

Preamble

The High Contracting Parties,

Considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

Considering that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms,

Considering that it is desirable to revise and consolidate previous international agreements relating to the status of refugees and to extend the scope of and the protection accorded by such instruments by means of a new agreement,

Considering that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation,

Expressing the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States,

Noting that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner,

Have agreed as follows:

Chapter I

General Provisions

Article 1. Definition of the Term "Refugee"

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

(1) Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;

(2) As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B. (1) For the purposes of this Convention, the words "events occurring before 1 January 1951" in article 1, section A, shall be understood to mean either (a) "events occurring in Europe before 1 January 1951"; or (b) "events occurring in Europe or elsewhere before 1 January 1951"; and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.

(2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

C. This Convention shall cease to apply to any person falling under the terms of section A if:

(1) He has voluntarily re-availed himself of the protection of the country of his nationality; or

(2) Having lost his nationality, he has voluntarily reacquired it; or

(3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or

(4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or

(5) He can no longer, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;
Provided that this paragraph shall not apply to a refugee falling under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality;

(6) Being a person who has no nationality he is, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;

Provided that this paragraph shall not apply to a refugee falling under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence.

D. This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall ipso facto be entitled to the benefits of this Convention.

E. This Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that

(a) He has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;

(b) He has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;

(c) He has been guilty of acts contrary to the purposes and principles of the United Nations.

Article 2. General Obligations

Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

Article 3. Non-Discrimination

The Contracting States shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin.

Article 4. Religion

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practise their religion and freedom as regards the religious education of their children.

Article 5. Rights Granted Apart from This Convention

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Contracting State to refugees apart from this Convention.

Article 6. The Term "In the Same Circumstances"

For the purposes of this Convention, the term "in the same circumstances, implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article 7. Exemption from Reciprocity

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to refugees the same treatment as is accorded to aliens generally.

2. After a period of three years' residence, all refugees shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.

3. Each Contracting State shall continue to accord to refugees the rights and benefits to which they were already entitled, in the absence of reciprocity, at the date of entry into force of this Convention for that State.

4. The Contracting States shall consider favourably the possibility of according to refugees, in the absence of reciprocity, rights and benefits beyond those to which they are entitled according to paragraphs 2 and 3, and to extending exemption from reciprocity to refugees who do not fulfil the conditions provided for in paragraphs 2 and 3.

5. The provisions of paragraphs 2 and 3 apply both to the rights and benefits referred to in articles 13, 18, 19, 21 and 22 of this Convention and to rights and benefits for which this Convention does not provide.

Article 8. Exemption from Exceptional Measures

With regard to exceptional measures which may be taken against the person, property or interests of nationals of a foreign State, the Contracting States shall not apply such measures to a refugee who is formally a national of the said State solely on account of such nationality. Contracting States which, under their legislation, are prevented from applying the general principle expressed in this article, shall, in appropriate cases, grant exemptions in favour of such refugees.

Article 9. Provisional Measures

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in his case in the interests of national security.

Article 10. Continuity of Residence

1. Where a refugee has been forcibly displaced during the Second World War and removed to the territory of a Contracting State, and is resident there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.

2. Where a refugee has been forcibly displaced during the Second World War from the territory of a Contracting State and has, prior to the date of entry into force of this Conven-

tion, returned there for the purpose of taking up residence, the period of residence before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

Article 11. Refugee Seamen

In the case of refugees regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment on its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

Chapter II

Juridical Status

Article 12. Personal Status

1. The personal status of a refugee shall be governed by the law of the country of his domicile or, if he has no domicile, by the law of the country of his residence.

2. Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become a refugee.

Article 13. Movable and Immovable Property

The Contracting States shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

Article 14. Artistic Rights and Industrial Property

In respect of the protection of industrial property, such as inventions, designs or models, trade marks, trade names, and of rights in literary, artistic and scientific works, a refugee shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that country. In the territory of any other Contracting States, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he has his habitual residence.

Article 15. Right of Association

As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.

Article 16. Access to Courts

1. A refugee shall have free access to the courts of law on the territory of all Contracting States.

2. A refugee shall enjoy in the Contracting State in which he has his habitual residence the same treatment as a national in matters pertaining to access to the courts, including legal assistance and exemption from cautio judicatum solvi.

3. A refugee shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he has his habitual residence the treatment granted to a national of the country of his habitual residence.

Chapter III

Gainful Employment

Article 17. Wage-Earning Employment

1. The Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.

2. In any case, restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils one of the following conditions:

(a) He has completed three years' residence in the country;

(b) He has a spouse possessing the nationality of the country of residence. A refugee may not invoke the benefit of this provision if he has abandoned his spouse;

(c) He has one or more children possessing the nationality of the country of residence.

3. The Contracting States shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage-earning employment to those of nationals, and in par-

ticular of those refugees who have entered their territory pursuant to programmes of labour recruitment or under immigration schemes.

Article 18. Self-Employment

The Contracting States shall accord to a refugee lawfully in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.

Article 19. Liberal Professions

1. Each Contracting State shall accord to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practising a liberal profession, treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

2. The Contracting States shall use their best endeavours consistently with their laws and constitutions to secure the settlement of such refugees in the territories, other than the metropolitan territory, for whose international relations they are responsible.

Chapter IV

Welfare

Article 20. Rationing

Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, refugees shall be accorded the same treatment as nationals.

Article 21. Housing

As regards housing, the Contracting States, in so far as the matter is regulated by laws or regulations or is subject to the control of public authorities, shall accord to refugees lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Article 22. Public Education

1. The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.

2. The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Article 23. Public Relief

The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.

Article 24. Labour Legislation and Social Security

1. The Contracting States shall accord to refugees lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters:

(a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of the benefits of collective bargaining;

(b) Social security (legal provisions in respect of employment injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the following limitations:

(i) There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;

(ii) National laws or regulations of the country of residence may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not fulfil the contribution conditions prescribed for the award of a normal pension.

2. The right to compensation for the death of a refugee resulting from employment injury or from occupational disease shall not be affected by the fact that the residence of the beneficiary is outside the territory of the Contracting State.

3. The Contracting States shall extend to refugees the benefits of agreements concluded between them, or which may be concluded between them in the future, concerning the maintenance of acquired rights and rights in the process of acquisition in regard to social security, subject only to the conditions which apply to nationals of the States signatory to the agreements in question.

4. The Contracting States will give sympathetic consideration to extending to refugees so far as possible the benefits of similar agreements which may at any time be in force between such Contracting States and non-contracting States.

Chapter V

Administrative Measures

Article 25. Administrative Assistance

1. When the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting States in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities or by an international authority.

2. The authority or authorities mentioned in paragraph 1 shall deliver or cause to be delivered under their supervision to refugees such documents or certifications as would normally be delivered to aliens by or through their national authorities.

3. Documents or certifications so delivered shall stand in the stead of the official instruments delivered to aliens by or through their national authorities, and shall be given credence in the absence of proof to the contrary.

4. Subject to such exceptional treatment as may be granted to indigent persons, fees may be charged for the services mentioned herein, but such fees shall be moderate and commensurate with those charged to nationals for similar services.

5. The provisions of this article shall be without prejudice to articles 27 and 28.

Article 26. Freedom of Movement

Each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence and to move freely within its territory subject to any regulations applicable to aliens generally in the same circumstances.

Article 27. Identity Papers

The Contracting States shall issue identity papers to any refugee in their territory who does not possess a valid travel document.

Article 28. Travel Documents

1. The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply with respect to such documents. The Contracting States may issue such a travel document to any other refugee in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence.

2. Travel documents issued to refugees under previous international agreements by Parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

Article 29. Fiscal Charges

1. The Contracting States shall not impose upon refugees duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

2. Nothing in the above paragraph shall prevent the application to refugees of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers.

Article 30. Transfer of Assets

1. A Contracting State shall, in conformity with its laws and regulations, permit refugees to transfer assets which they have brought into its territory, to another country where they have been admitted for the purposes of resettlement.

2. A Contracting State shall give sympathetic consideration to the application of refugees for permission to transfer assets wherever they may be and which are necessary for their resettlement in another country to which they have been admitted.

Article 31. Refugees Unlawfully in the Country of Refuge

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who,

coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 32. Expulsion

1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.

2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.

3. The Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.

Article 33. Prohibition of Expulsion or Return ("refoulement")

1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country.

Article 34. Naturalization

The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

Chapter VI

Executory and Transitory Provisions

Article 35. Co-operation of the National Authorities with the United Nations

1. The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.

2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the Contracting States undertake to provide them in the appropriate form with information and statistical data requested concerning:

(a) The condition of refugees,

(b) The implementation of this Convention, and

(c) Laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 36. Information on National Legislation

The Contracting States shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of this Convention.

Article 37. Relation to Previous Conventions

Without prejudice to article 28, paragraph 2, of this Convention, this Convention replaces, as between Parties to it, the Arrangements of 5 July 1922, 31 May 1924, 12 May 1926, 30 June 1928 and 30 July 1935, the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 and the Agreement of 15 October 1946.

Chapter VII

Final Clauses

Article 38. Settlement of Disputes

Any dispute between Parties to this Convention relating to its interpretation or application, which cannot be settled by other

means, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 39. Signature, Ratification and Accession

1. This Convention shall be opened for signature at Geneva on 28 July 1951 and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from 28 July to 31 August 1951 and shall be re-opened for signature at the Headquarters of the United Nations from 17 September 1951 to 31 December 1952.

2. This Convention shall be open for signature on behalf of all States Members of the United Nations, and also on behalf of any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons or to which an invitation to sign will have been addressed by the General Assembly. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open from 28 July 1951 for accession by the States referred to in paragraph 2 of this article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 40. Territorial Application Clause

1. Any State may, at the time of signature, ratification or accession, declare that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned.

2. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the day of receipt by the Secretary- General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is the later.

3. With respect to those territories to which this Convention is not extended at the time of signature, ratification or accession, each State concerned shall consider the possibility of taking the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

Article 41. Federal Cause

In the case of a Federal or non-unitary State, the following provisions shall apply:

(a) With respect to those articles of this Convention that come within the legislative jurisdiction of the federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of parties which are not Federal States;

(b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of States, provinces or cantons at the earliest possible moment;

(c) A Federal State Party to this Convention shall, at the request of any other Contracting State transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention showing the extent to which effect has been given to that provision by legislative or other action.

Article 42. Reservations

1. At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 1, 3, 4, 16 (1), 33, 36–46 inclusive.

2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 43. Entry into Force

1. This Convention shall come into force on the ninetieth day following the day of deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day following the date of deposit by such State of its instrument of ratification or accession.

Article 44. Denunciation

1. Any Contracting State may denounce this Convention at any time by a notification addressed to the Secretary-General of the United Nations.

2. Such denunciation shall take effect for the Contracting State concerned one year from the date upon which it is received by the Secretary-General of the United Nations.

3. Any State which has made a declaration or notification under article 40 may, at any time thereafter, by a notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory one year after the date of receipt of the notification by the Secretary-General.

Article 45. Revision

1. Any Contracting State may request revision of this Convention at any time by a notification addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall recommend the steps, if any, to be taken in respect of such request.

Article 46. Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform all Members of the United Nations and non-member States referred to in article 39:

(a) Of declarations and notifications in accordance with section B of article 1;

(b) Of signatures, ratifications and accessions in accordance with article 39;

(c) Of declarations and notifications in accordance with article 40;

(d) Of reservations and withdrawals in accordance with article 42;

(e) Of the date on which this Convention will come into force in accordance with article 43;

(f) Of denunciations and notifications in accordance with article 44;

(g) Of requests for revision in accordance with article 45.

IN FAITH WHEREOF the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments.

DONE at Geneva, this twenty-eighth day of July, one thousand nine hundred and fifty-one, in a single copy, of which the English and French texts are equally authentic and which shall remain deposited in the archives of the United Nations, and certified true copies of which shall be delivered to all Members of the United Nations and to the non-member States referred to in article 39.

DECLARATION ON TERRITORIAL ASYLUM

Adopted by General Assembly resolution 2312 (XXII) of 14 December 1967

The General Assembly,

Recalling its resolutions 1839 (XVII) of 19 December 1962, 2100 (XX) of 20 December 1965 and 2203 (XXI) of 16 December 1966 concerning a declaration on the right of asylum,

Considering the work of codification to be undertaken by the International Law Commission in accordance with General Assembly resolution 1400 (XIV) of 21 November 1959,

Adopts the following Declaration:

The General Assembly,

Noting that the purposes proclaimed in the Charter of the United Nations are to maintain international peace and security, to develop friendly relations among all nations and to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Mindful of the Universal Declaration of Human Rights, which declares in article 14 that:

"1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

"2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations,"

Recalling also article 13, paragraph 2, of the Universal Declaration of Human Rights, which states:

"Everyone has the right to leave any country, including his own, and to return to his country,"

Recognizing that the grant of asylum by a State to persons entitled to invoke article 14 of the Universal Declaration of Human Rights is a peaceful and humanitarian act and that, as such, it cannot be regarded as unfriendly by any other State,

Recommends that, without prejudice to existing instruments dealing with asylum and the status of refugees and stateless persons, States should base themselves in their practices relating to territorial asylum on the following principles:

Article 1

1. Asylum granted by a State, in the exercise of its sovereignty, to persons entitled to invoke article 14 of the Universal Declaration of Human Rights, including persons struggling against colonialism, shall be respected by all other States.

2. The right to seek and to enjoy asylum may not be invoked by any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.

3. It shall rest with the State granting asylum to evaluate the grounds for the grant of asylum.

Article 2

1. The situation of persons referred to in article 1, paragraph 1, is, without prejudice to the sovereignty of States and the purposes and principles of the United Nations, of concern to the international community.

2. Where a State finds difficulty in granting or continuing to grant asylum, States individually or jointly or through the United Nations shall consider, in a spirit of international solidarity, appropriate measures to lighten the burden on that State.

Article 3

1. No person referred to in article 1, paragraph 1, shall be subjected to measures such as rejection at the frontier or, if he has already entered the territory in which he seeks asylum, expulsion or compulsory return to any State where he may be subjected to persecution.

2. Exception may be made to the foregoing principle only for overriding reasons of national security or in order to safeguard the population, as in the case of a mass influx of persons.

3. Should a State decide in any case that exception to the principle stated in paragraph 1 of this article would be justified, it shall consider the possibility of granting to the persons concerned, under such conditions as it may deem appropriate, an opportunity, whether by way of provisional asylum or otherwise, of going to another State.

Article 4

States granting asylum shall not permit persons who have received asylum to engage in activities contrary to the purposes and principles of the United Nations.

Appendix B
Human Rights Organizations

Compiled by Laurie Wiseberg

At the present time, there are thousands of human rights organizations worldwide operating at the local (grassroots), national, regional, and international levels. These groups may be operating with a broad mandate encompassing the entire spectrum of civil, cultural, economic, political, and social rights, or they may be narrowly focused on certain specific rights (freedom from torture, freedom of the press, the right to housing); they may focus on the rights of certain groups—women, children, refugees, internally displaced persons, workers, prisoners, persons with disabilities, minorities or indigenous peoples—or they may be differentiated with respect to the strategies they adopt and the activities they undertake, such as fact-finding, lobbying, education, litigation, or humanitarian assistance to victims.

This listing of Nongovernmental Organizations (NGOs) has been compiled from the database of organizations concerned with human rights and social justice maintained by Human Rights Internet (HRI). The database has approximately 8,000 entries and is now available on-line at <www.hri.ca>. HRI recognizes, however, that even this is simply the tip of the iceberg, given the dramatic expansion in NGOs engaged in human rights work in almost every country in the world during the past decades. What is presented in this encyclopedia is, therefore, a sampling from the extremely rich universe of human rights NGOs. In selecting the approximately 200 NGOs for inclusion in this volume, an attempt was made to focus on NGOs working at the international or regional levels, but also to provide examples of strong national-level NGOs from all regions. In the selection process, attention was also paid to providing a sample that would highlight the enormous diversity of the issues and concerns engaging the attention of human rights NGOs. It is important to note, however, that there was no attempt to evaluate the work of the NGOs and that inclusion or exclusion from this listing should in no way be taken as endorsement or criticism of the work of an organization. Moreover, the descriptions rely heavily on what the organizations say about their own objectives and activities.

Two organizations—Amnesty International and Human Rights Watch—stand out as human rights advocates, and so we decided to place them first, ahead of the alphabetical list. By placing them there we do not suggest that they are perfect, but only that their size and maturity as organizations mean that they tend to be more effective at informing the world of the human rights problems that beset it. If you begin your research with these two, you are not likely to go wrong.

Name: Amnesty International
Other Name: Amnistie internationale; Amnestia Internacional
Acronyms: AI
Languages: English, French, Spanish, Arabic
Address: International Secretariat
1 Easton St.
London WC1X 8DJ, UK
Telephone Number: (44–171) 413–5500
Fax Number: (44–171) 956–1157
Email: amnestyis@amnesty.org
Web Page: www.amnesty.org

Amnesty International (AI), founded in 1961, is a worldwide campaigning movement to promote all the human rights enshrined in the Universal Declaration of Human Rights and other international standards. In particular, AI campaigns to free all prisoners of conscience: ensure fair and prompt trials for political prisoners, abolish the death penalty, torture, and other cruel treatment of prisoners, to end political killings and "disappearances" as well as to oppose human rights abuses by opposition groups. It has 54 National Sections and local groups in over 150 countries.

Name: Human Rights Watch
Acronyms: HRW
Language: English
Address: 350 Fifth Avenue
34th Floor
New York, NY 10118–3299, USA
Telephone Number: (1–212) 290–4700
Fax Number: (1–212) 736–1300
Email: hrwnyc@hrw.org
Web Page: http://www.hrw.org

Human Rights Watch (HRW), founded in 1978, through its regional divisions (Africa, the Americas, Asia, the Middle East, and Europe and Central Asia) conducts regular, systematic investigations of human rights abuses in countries

around the world. It addresses the human rights practices of governments of all political stripes, of all geopolitical alignments, and of all ethnic and religious persuasions. In internal wars it documents violations by both governments and rebel groups. HRW defends freedom of thought and expression, due process, and equal protection of the law; it documents and denounces murders, disappearances, torture, arbitrary imprisonment, exile, censorship, and other abuses of internationally recognized human rights.

Name: Abo Akademin—Ihmisoikeusinstutuutti
Other Name: Abo Akademi—Institutet for Manskliga Rattigheter; Abo Academy—Institute for Human Rights
Acronyms: AA
Language: Finnish; English
Address: Abo Akademi University
Gezeliusgatan 2
SF-20500 Turku, Finland
Telephone Number: (358–2) 215–4713 (courses); 215–4324 (publications); 215–4325 (databases)
Fax Number: (358–2) 215–4699 (courses)
Email: johanna.bondas@abo.fi (courses)
Web Page: http://www.abo.fi/instut/imr/

The Institute for Human Rights of Åbo Akademi University (AA), founded in 1985, is an integrated unit of the Department of Law. AA focuses on research in the field of the international protection of human rights. The Institute also offers lectures, courses, and seminars, and organizes international meetings and symposia. The expertise and the library of the Institute and the databases FINDOC and DOMBASE are at the disposal of other universities, national and international organizations, and other bodies. It also has a close cooperation with the human rights institutes in the other Nordic countries.

Name: Academia Mexicana de Derechos Humanos
Other Name: Mexican Academy of Human Rights; l'Academie mexicaine des droits de l'homme
Acronyms: AMDH
Languages: Spanish; English; French
Address: Filosofia y Letras 88
Colonia Copilco-Universidad
Apdo. Postal 70–473
04360 Mexico DF, Mexico
Telephone Number: (52–5) 659–4980; 659–8764
Fax Number: (52–5) 658–7279
Email: amdh@laneta.apc.org; acmedehu@servidor.unam.mx
Web Page: http://lanic.utexas.edu/la/region/news/arc/amdh

The Mexican Academy for Human Rights (AMDH), founded in 1984, works to train local groups and individuals to promote and defend human rights. AMDH also produces material for groups working in other areas related to human rights to use in incorporating human rights issues into their work. And it documents and analyzes human rights abuses and networks with other human rights organizations.

Name: African Centre for Democracy and Human Rights Studies
Other Name: Centre africain pour la démocratie et les études des droits de l'homme
Acronyms: ACDHRS
Languages: English; French
Address: Kairaba Avenue
Kombo St. Mary's Division
Gambia
Telephone Number: (220) 39–45–25; 39–49–61
Fax Number: (220) 39–49–62
Email: acdhrs@acdhrs.gm
Web Page: http://www.acdhrs.gm

The African Centre for Democracy and Human Rights Studies (ACDHRS), established in 1989, promotes the observance of human and peoples' rights and democratic principles throughout Africa as an independent pan-African NGO. ACDHRS researches; produces publications; undertakes education, training, documentation; and disseminates and collects information.

Name: African Women's Development and Communication Network
Acronyms: FEMNET
Languages: English; French
Address: P.O. Box 54562
Nairobi, Kenya
Telephone Number: (254–2) 741–301/20
Fax Number: (254–2) 742–927
Email: femnet@africaonline.co.ke
Web Page: http://www.co.ke/femnet

The African Women's Development and Communication Network (FEMNET), founded in 1985, works to strengthen the role and contribution of NGOs focusing on women's development in Africa and to lobby African governments to put in place policies that reflect gender sensitivity. FEMNET also initiates, develops, provides, and maintains channels and means of communication on matters relating to African women's development. It publishes pamphlets, articles, and books on human rights and maintains a documentation center. It also advises and assists other organizations on matters pertaining to African women.

Name: Agencia Latinoamericana de Información
Other Name: Agence Latino-Américaine d'Information; Latin American Information Agency
Acronyms: ALAI
Languages: Spanish; English; French

Address: Casilla 17–12–877
Av. 12 Octubre N18–24
Of 53
Quito, ECUADOR
Telephone Number: (593–2) 50–50–74; 22–15–70
Fax Number: (593–2) 50–50–73
Email: info@alai.ecuanex.net.ec
Web Page: http://alainet.org

The Latin America Information Agency (ALAI), founded in 1976, is an organization for communication and vigilance based on human rights and the participation of social movements in the community of Latin America. Its actions are based on the battle for democracy and the basic requirement for social justice and democratic life.

Name: Aide à toute détresse quart monde
Other Name: Mouvement ATD Quart Monde; ATD Fourth World Movement; ATD Bewegung Vierte Welt
Language: French
Address: 107 av. de General Leclerc
95480 Pierrelaye, France
Telephone Number: (33–1) 037–1111
Email: information@atd-quartmonde.org
Web Page: http://www.atd-quartmonde.org/accueil-fr.html

The International Movement ATD Fourth World, founded in 1957, fights against poverty and social exclusion. The Movement works to gain recognition for society's most deprived individuals and groups—the "Fourth World"—and to include them as full and free participants in social, economic, cultural and political life. It also seeks to promote human rights for those on the lowest level of the social scale: the right to work, housing, health, education, and culture, and the right to social and political representation.

Name: Al-Haq
Other Name: Law in the Service of Man
Languages: Arabic; English
Address: P.O. Box 1413
Ramallah
West Bank, Palestine
Telephone Number: (972–2) 295–6421; 295–4646
Fax Number: (972–2) 295–4903
Email: haq@alhaq.org
Web Page: http://www.alhaq.org

Al-Haq, founded in 1979, works for the protection and promotion of the principles of human rights and the rule of law. It monitors, documents, and investigates human rights violations. It researches issues pertaining to the rule of law in occupied territories. Al-Haq publishes studies on various aspects of the legal and human rights situation in the Israeli-occupied West Bank and Gaza Strip. It tries, through direct intervention and other means, to bring specific abuses to an end. Al-Haq also seeks to provide consultative and educational services to the Palestinian community concerning individual and collective rights in an effort to realize and protect these rights.

Name: Aliran Kesedaran Negara
Acronyms: ALIRAN
Languages: Malay; English
Address: 103 Medan Penaga
11600 Jelutong
Penang, Malaysia
Telephone Number: (60–4) 658–5251
Fax Number: (60–4) 658–5197
Email: alirankn@hotmail.com
Web Page: www.malaysia.net/aliran

The Aliran Kesedaran Negara (ALIRAN), founded in 1977, is dedicated to justice, freedom, and solidarity. It raises public awareness on important issues affecting Malaysians. It issues media releases, which analyze various issues related to its quest for an alternative order, and responds to both local and international human rights appeals. It also acts as a coordinating body or secretariat for appeals and campaigns on specific social and human rights issues. ALIRAN is an important source of independent information on Malaysia for political analysts, academics, and others interested in what is really happening in the country.

Name: All Africa Conference of Churches
Other Name: Conférence des églises de toute l'Afrique; Conferencia de Igrejas de Toda Africa
Acronyms: AACC; CETA; CITA
Languages: English; French; Portugese
Address: P.O. Box 14205
Nairobi, Kenya
Telephone Number: (254–2) 441–483; 441–338; 441–339; 445–827
Fax Number: (254–2) 443–241
Email: aacc-Infodesk@maf.org

The All African Conference of Churches (AACC) Commission on Human and Peoples' Rights, founded in 1963, works on matters relating to human and peoples' rights and international affairs, and acts or renders advice to the AACC on these matters; promotes and protects human and peoples' rights, and monitors their implementation; assists and encourages member churches and organizations to be concerned with and to promote and protect said rights in their countries and elsewhere; collects documents, undertakes studies and research, disseminates information, organizes seminars, symposia, and conferences, and renders advisory services on national and international affairs and matters relating to human and peoples' rights; lobbies for the ratification of the African Charter on Human and Peoples' Rights; communicates and cooperates with other African and international organizations with simi-

lar objectives; and provides assistance to persons whose rights have been violated.

Name: American Association for the Advancement of Science
Other Name: Science and Human Rights Program
Acronyms: AAAS
Language: English
Address: 1200 New York Ave. NW
Washington, DC 20005, USA
Telephone Number: (1–202) 326–6790
Fax Number: (1–202) 289–4950
Email: shrp@aaas.org
Web Page: http://shr.aaas.org

The American Association for the Advancement of Science and Human Rights Program (AAAS), founded in 1976, works on the premise that to be consistent with the principles of scientific freedom and responsibility, scientific societies should encourage international respect for the human rights standards. AAAS conducts casework on behalf of scientists, engineers, and health professionals whose human rights have been violated, prepares statements and reports, and convenes meetings on human rights issues of special concern to scientists. It also organizes humanitarian and fact-finding missions and assists affiliates in dealing with cases and issues of special importance to the scientific community. It also works training NGOs in scientific human rights investigations and information management.

Name: American Friends Service Committee
Acronyms: AFSC
Language: English
Address: 1501 Cherry St.
Philadelphia, PA 19102, USA
Telephone Number: (1–215) 241–7000
Fax Number: (1–215) 241–7275
Email: afscinfo@afsc.org
Web Page: www.afsc.org

The American Friends Service Committee (AFSC), founded in 1917, is a Quaker organization that includes people of various faiths who are committed to social justice, peace, and humanitarian service. AFSC has programs that focus on issues related to economic justice, peace-building, and demilitarization, social justice, and youth in the United States, Africa, Asia, Latin America, and the Middle East. Its work is based on the belief in the worth of every person, and faith in the power of love to overcome violence and injustice.

Name: Anti-Slavery International
Acronyms: AS
Language: English
Address: Thomas Clarkson House, The Stableyard
Broomgrove Road
London SW9 9TL, UK
Telephone Number: (44–0207) 501–8920
Fax Number: (44–0207) 738–4110
Email: admin@antislavery.org
Web Page: www.antislavery.org

Anti-Slavery (AS), founded in 1839, promotes the eradication of slavery, slavery-like practices, and freedom for everyone who is subjected to them. AS focuses on the rights of people who are particularly vulnerable to exploitation of their labor, notably women, children, migrant workers, and indigenous peoples. It collects information about abuses, raises public awareness, and promotes action to end them and influences policy-makers in governments or other institutions at national and international level to take action accordingly. AS also supports victims and works with organizations campaigning on their behalf.

Name: Arab Organization for Human Rights
Other Name: Organisation arabe des droits de l'homme
Acronyms: AOHR; OADH
Languages: Arabic; English; French
Address: 91, Marghani Ave.
Massr al Jadida
Cairo 11341, Egypt
Telephone Number: (20–2) 418–1396; 418–8378
Fax Number: (20–2) 418–5346
Email: aohr@link.com.eg

The Arab Organization for Human Rights (AOHR), founded in 1983, works for the respect of human rights and fundamental freedoms of all citizens and residents of the Arab world. AOHR defends any individual whose human rights are violated. It endeavors, regardless of political considerations, to obtain release of detained or imprisoned persons, and seeks relief and assistance for persons whose freedom is restricted in any way or who are subject to coercion of any kind because of their beliefs and political convictions, or for reasons of race, sex, labor, or language. AOHR provides legal assistance where necessary and possible, calls for improvements in conditions of prisoners of conscience and works for amnesty of persons sentenced for political reasons.

Name: ARTICLE 19: International Centre Against Censorship
Acronyms: Article 19
Address: Lancaster House
33 Islington High St.
London N1 9LH, UK
Telephone Number: (44–20) 72–78–92–92
Fax Number: (44–20) 77–13–13–56
Email: info@article19.org
Web Page: http://www.article19.org

Article 19: International Centre Against Censorship (Article 19), founded in 1986, works worldwide to combat censorship by promoting freedom of expression and access to official information. It monitors, researches, publishes, lobbies, cam-

paigns, and litigates on behalf of freedom of expression wherever it is threatened. Article 19 works to develop standards to advance media freedom, assist individuals to speak out and campaign for the free flow of information—within countries and internationally, and works to strengthen the local capacity to monitor and protest censorship.

Name: Asamblea Permanente por los Derechos Humanos
Other Name: Permanent Assembly for Human Rights
Acronyms: APDH
Address: Callao 569
3er Cuerpo
Buenos Aires 1022, Argentina
Telephone Number: (54–1) 374–4382; 476–2061; 373–0397; 373–6073
Fax Number: (54–1) 814–3714
Email: apdh@mail.misiones.org.ar
Web Page: http://www.misiones.org.ar/apdh

The Permanent Assembly for Human Rights (APDH), created in 1975, addresses the systemic violations of human rights in Argentina. APDH works to promote truth and justice. It lobbies for internal human rights legislation and educates the public on past human rights abuses. It also runs programs on juvenile justice; the prison system; the lack of independence in the judiciary; economic, social, and cultural rights; freedom of press; and the rights to information and self-determination.

Name: Asia Monitor Resource Center
Acronyms: AMRC
Languages: English; Cantonese
Address: 444 Nathan Road, 8B
Kowloon, Hong Kong
Telephone Number: (852)23–32–13–46
Fax Number: (852) 23–85–53–19
Email: amrc@pacific.net.hk/AMRC@HK.SUPER.NET
Web Page: http://www.pacific.net.hk/~amrc

The Asia Monitor Resource Center (AMRC), founded in 1976, focuses on Asian labor concerns. AMRC supports democratic and independent labor movements in Asia by providing information, tools, and skills as well as the opportunity for the exchange of experiences and ideas. AMRC provides services in training programs, campaigns, and other organizing strategies to grassroots NGOs and labor organizations that focus on women workers, labor issues, and development.

Name: Asia Pacific Forum on Women, Law and Development
Acronyms: APWLD
Language: English
Address: 9th floor, APDC Building
Pesiaran Duta
P.O. Box 12224
50480 Kuala Lumpur, Malaysia
Telephone Number: (60–3) 651–0648
Fax Number: (60–3) 654–1371
Email: apwld@pactok.peg.apc.org

The Asia Pacific Forum on Women, Law and Development (APWLD), founded in 1986, works to advance the cause of women by creating an environment of social equality. APWLD works to develop a moral value code for equality and justice, and ratification and implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women. It also facilitates an information exchange to further individual and collective action and promotion of equality and political and economic rights for women, including their participation in policy planning.

Name: Asian Center for the Progress of Peoples
Acronyms: ACPP
Address: 52 Princess Margaret Road
1/F, Kowloon, Hong Kong
Telephone Number: (852–2) 714–5123; 712–3989
Fax Number: (852–2) 711–3545
Email: acpp@hk.super.net

The Asian Center for the Progress of Peoples (ACPP), founded in 1979, is a religiously inspired (Catholic) organization. ACCP works by supporting national groups on justice and peace concerns and promotes international solidarity on justice issues. It tries to identify and address the root causes of injustice in Asia and cooperates with other groups in research, advocacy, and training. ACCP also maintains a documentation center and publishes educational aids. ACCP administers the Hotline Asia-Oceania, a project of the Justice and Peace Coordinating Committee for Asia. Hotline Asia-Oceania provides an urgent alert on cases of human rights violations involving members of grassroots organizations and justice and peace advocates. ACPP commits itself to a number of projects especially on labor, church response, and evangelization, and development issues.

Name: Asian Centre for Women's Human Rights
Acronyms: ASCENT
Language: English
Address: P.O. Box AC 662 Cubao
1135 Quezon City, Philippines
Telephone Number: (63–2) 928–4973; 410–1512
Fax Number: (63–2) 533–0452; 928–4973; 911–0513
Email: ascent@csi.com.ph
Web Page: http://www.whrnet.org/partners.html

The Asian Center for Women's Rights (ASCENT) works to train women's organizations in Asia on human rights standards. It monitors, investigates, documents, and reports on violations of women's human rights. ASCENT's Women's Human Rights Defenders Program focuses on training women's rights activists on how to document, monitor, inves-

tigate, campaign, and make interventions on the different human rights violations perpetrated on women. ASCENT's Women in Armed Conflict Defenders Program assists, documents, and monitors women's human rights violations in war and armed conflict situations in Asia.

Name: Asian Coalition for Housing Rights
Other Name: Habitat International Coalition—Asia
Language: English
Address: P.O. Box 24–74
Klongchan Bangkapi
Bangkok 10240, Thailand
Telephone Number: (66–2) 538–0919
Fax Number: (66–2) 539–9950
Email: achrsec@mail.ksc.net

The Asian Coalition for Housing Rights was formed in 1988. The Coalition hopes to encourage more Asian groups to participate and work on regional actions in order to create a process of change in their struggle for housing rights. It also works to encourage governments in the region to recognize the human right to housing and to limit evictions and the impact of displacing people.

Name: Asian Cultural Forum on Development
Acronyms: ACFOD
Address: P.O. Box 26
Bungthonglang
Bangkok 10240, Thailand
Telephone Number: (66–2) 377–9357; (66–2) 370–2701
Fax Number: (66–2) 374–0464
Email:acfod@ksc15.th.com
Web Page: http://ksc11.th.com/acfodbkk

The Asian Cultural Forum on Development (ACFOD), founded in 1975, promotes integral development within the region. ACFOD has members in some thirty countries in Asia Pacific. It works to advocate integral development and counteract destructive/dehumanized development. It promotes peace, harmony, human rights, gender justice, and equity, as well as participatory democracy, sustainable development and provides a platform for grassroots exchanges and action.

Name: Asian Human Rights Commission
Acronyms: AHRC
Language: English
Address: Unit D, 7th Floor
16 Argyle St., Mongkok Commercial Centre
Kowloon, Hong Kong SAR
Telephone Number: (852–2) 698–6339
Fax Number: (852–2) 698–6367
Email: ahrchk@ahrchk.org
Web Page: http://www.ahrchk.net

The Asian Human Rights Commission (AHRC) was formed in 1984 and works to provide an avenue for creating greater awareness and realization about human rights in the Asian region. It works to mobilize Asian and international public opinion to obtain relief and redress for the victims of human rights violations. AHRC prepares reports and takes appropriate action to prevent anticipated or continuing human rights violations. At the same time that the AHRC was formally constituted, it created the Asian Legal Resource Center (ALRC) to develop effective legal resources for the poor and disadvantaged of Asia. The two organizations collaborate closely. The AHRC monitors the regional human rights situation, does advocacy work and engages in research through its documentation program.

Name: Asian Regional Resource Center for Human Rights Education
Acronyms: ARRC
Language: English
Address: P.O. Box 26
Bungthonglang P.O.
Bangkok 10242, Thailand
Telephone Number: (66–2) 377–9357; 370–2701
Fax Number: (66–2) 731–2216
Email: arrc@ksc.th.com

The Asian Regional Resource Center for Human Rights Education (ARRC), founded in 1992, collects, exchanges, and distributes human rights education material. It also translates/adapts available materials, and produces new ones into regional languages, and provides training in human rights education and sharing of skills and methods at regional and national levels.

Name: Asociacion pro Derechos Humanos
Other Name: Association for Human Rights
Acronyms: APRODEH
Languages: Spanish; English
Address: Jr. Pachacutec 980
Jesus Maria, Lima 11, Peru
Telephone Number: (51–1) 431–0482; 424–7057; 431–4837
Fax Number: (51–14) 431–0477
Email: E-mail: webmaster@aprodeh.org.pe
Web Page: http://ekeko.rcp.net.pe/aprodeh/primera.htm

The Asociacion Pro Derechos Humanos (APRODEH), founded in September 1983, is dedicated to the defense, protection, promotion, and teaching of human rights in Peru. It documents and investigates human rights abuses, runs programs of legal assistance and training in the popular sector, provides humanitarian and legal assistance to the victims of human rights violations, and advocates for solidarity and cooperation without discrimination.

Name: Association des femmes africaines pour la recherche sur le développement

Other Name: Association of African Women for Research and Development
Acronyms: AFARD; AAWORD
Address: c/o CODESRIA
B.P. 3304
Dakar, Senegal
Telephone Number: (221) 825–9822; 825–9823
Fax Number: (221) 824–1289
Email: codesria@Sonatel.senent.net

The Association of African Women for Research and Development (AAWORD), founded in 1977, organizes different research working groups that members can join in accordance with their area of specialization and research interests. It undertakes research on issues relating to women, particularly the impact on women of economic development, health, and reproductive issues, and creates regional and international networks, both for African women researchers and for those concerned with development in Africa. AAWORD also encourages the formation of research working groups nationally in Africa.

Name: Association for Civil Rights in Israel
Acronyms: ACRI
Address: P.O. Box 35401
Jerusalem 91352, Israel
Telephone Number: (972–2) 652–1218
Fax Number: (972–2) 652–1219
Email: acri@actcom.co.il
Web Page: http://nif.org/acri/

The Association for Civil Rights in Israel (ACRI), founded in 1972, is modeled after the American Civil Liberties Union. ACRI works to promote and defend civil and human rights in Israel through litigation, legislation, lobbying, and education. It takes civil rights cases to court to establish precedents that will prevent future abuse. ACRI has four offices in major Israeli cities, and provides advice and counsels victims of human rights abuse. Violations are brought to the attention of responsible authorities, and corrective action is called for. It also prepares teaching materials for use in Arab and Jewish schools, and conducts seminars for teachers on methods of raising civil rights awareness. It also takes part in police and paramilitary border police training programs.

Name: Association malienne des droits de l'homme
Other Name: Malian Association for Human Rights
Acronyms: AMDH
Language: French
Address: BP 3129
Bamako, Mali
Telephone Number: (223) 22–34–62
Fax Number: (223) 22–93–77
Email: amdh@malinet.ml

The Malian Association for Human Rights (AMDH), formed in 1988, works to promote the respect of human rights in Mali by the government, the legal system, and the general public. It encourages research and compiles documentation on human rights in general, and Africa and Mali in particular, disseminates information, and organizes seminars and conferences to better promote human rights.

Name: Association pour la prevention de la torture
Other Name: Association for the Prevention of Torture; Asociacion para la Prevencion de la Tortura
Acronyms: APT
Languages: French; English; Spanish
Address: Case Postale 2267
1211 Geneva 2 Depot, Switzerland
Telephone Number: (41–22) 734–2088
Fax Number: (41–22) 734–5649
Email: apt@apt.ch; webmaster@apt.ch
Web Page: http://www.apt.ch

The Association for the Prevention of Torture (APT), founded in 1977, works to prevent torture and treatment contrary to human dignity. It seeks to ensure the implementation of international laws and principles forbidding torture and to reinforce mechanisms—such as visits to places of detention—for the prevention of ill-treatment.

Name: Australian Human Rights Information Centre
Acronyms: AHRIC
Language: English
Address: Faculty of Law
University of New South Wales
Sydney 2052, NSW, Australia
Telephone Number: (61–2) 93–85–15–25
Fax Number: (61–2) 93–85–11–75
Email: ahric@unsw.edu.au
Web Page: http://www.austlii.edu.au/ahric/

The Australian Human Rights Information Centre (AHRIC) was formed as a body of the Human Rights Centre at the University of NSW. AHRIC seeks to increase public awareness about human rights procedures, standards, and issues within the Asia-Pacific region. It provides accessible information on human rights to the general public and to NGOs, government departments, human rights advocates, community legal centers, journalists, educators, researchers, and students. It also maintains a comprehensive collection of human rights documentation and runs an on-line database service. AHRIC also undertakes research and prepares publications, organizes educational activities, and responds to requests for technical advice in the area of human rights.

Name: Bangladesh Manobadhikar Samonnoy Parishad
Other Name: Coordinating Council for Human Rights in Bangladesh

Acronyms: BMSP; CCHRB
Languages: Bengali; English
Address: House 5/4 (First Floor)
Block-F, Lalmatia
Dhaka-1207, Bangladesh
Telephone Number:
Fax Number: (880–2) 81–72–11

The Coordinating Council for Human Rights in Bangladesh (CCHRB) was launched in 1986 as an initiative of Hotline, itself a project of the Commission for Justice and Peace, to link human rights organizations, organizations operating for social development and any organization having a human rights program or supporting oppressed groups. CCHRB works to raise public consciousness about human rights violations and the coordination of human rights activities of member organizations. It provides training for human rights workers and works for the ratification of important human rights instruments by the Bangladesh government. CCHRB also investigates and analyzes human rights situations; provides legal education, legal aid, and mediation for disadvantaged groups and individuals; and operates a documentation center.

Name: B'Tselem—Hamerkaz Hamayd'a Hayisraeli Lizehooyot Ha-Adam Ba-Shetahim
Other Name: B'Tselem—Israeli Information Center for Human Rights in the Occupied Territories
Languages: Hebrew; English; Arabic
Address: 43 Emek Refaim St.
Second Floor
Jerusalem 93141, Israel
Telephone Number: (972–2) 561–7271
Fax Number: (972–2) 561–0756
Email: btselem@btselem.org/mail@btselem.org
Web Page: http://www.btselem.org

B'Tselem–Israeli Information Center for Human Rights in the Occupied Territories (B'Tselem), founded in 1989, works to protect, monitor, document, and improve human rights in the Occupied Territories. B'Tselem provides information on human rights in the territories. Quantitative and qualitative data is compiled and regular data summaries are distributed to the media and other interested parties. In addition, B'Tselem responds to queries from Knesset members, government committees, researchers, students, and the media. It also provides human rights briefings to visiting foreign delegations and members of the diplomatic community. B'Tselem also conducts public education and organizes advocacy campaigns.

Name: Cairo Institute for Human Rights Studies
Acronyms: CIHRS
Languages: English; Arabic
Address: P.O. Box 117
(Maglis el-Shaab)
Cairo, Egypt
Telephone Number: (20–2) 354–3715; 355–1112; 594–1913
Fax Number: (20–2) 355–4200
Email: cihrs@idsc.gov.eg

The Cairo Institute for Human Rights Studies (CIHRS), formed in 1993, is a research center specializing in the study of human rights in the Arab world. It works to gain a deeper understanding of the structural problems that impede the implementation of international human rights law in Arab societies. It explores innovative approaches to the dissemination of human rights values and standards in Arab societies and provides channels of intellectual interaction between Arab and foreign research communities interested in promoting and implementing human rights at the regional and global levels. CIHRS also generates ideas relevant to peaceful solutions to the main problems of transition to democratic systems in Arab countries with special emphasis on human rights implementation. CIHRS's activities include conceptual and applied research, educational programs, seminars, courses, periodical, and nonperiodical publications, as well as providing research facilities and consultation to interested researchers.

Name: Cambodian Human Rights and Development Association
Acronyms: ADHOC
Languages: Khmer; English
Address: House No. 1, Street 158
Oukghna Troeung Kang, Sangkat Beng Raing
Khan Daun, Phnom Penh, Cambodia
Telephone Number: (855–23) 218–653
Fax Number: (855–23) 217–229
Email: adhoc@forum.org.kh
Web Page: http://cambodia-hr.org/adhoc/home.htm

The Cambodian Human Rights Association (ADHOC), established in 1992, promotes human rights in Cambodia. ADHOC focuses on human rights education and training. It publishes and distributes a magazine with information on the association's work and other human rights material. Its training includes providing basic information about international human rights standards and imparting skills in human rights monitoring. It also assists victims of human rights abuses and works to improve conditions in prisons. It has a documentation center and conducts research.

Name: Canadian Human Rights Foundation
Other Name: Fondation canadienne des droits de la personne
Acronyms: CHRF
Languages: English; French
Address: 1425 Rene-Levesque Blvd. West
Suite 307
Montreal, Quebec H3G 1T7, Canada
Telephone Number: (1–514) 954–0382
Fax Number: (1–514) 954–0659

Email: chrf@chrf.ca
Web Page: http://www.chrf.ca

The Canadian Human Rights Foundation (CHRF), founded in 1967, works for the defense and promotion of human rights through education, in Canada and around the world. CHRF runs training programs, initiates dialogue, and fosters research through conferences on emerging human rights issues, as well as offers a series of publications that include educational materials.

Name: Carter Center
Other Name: Carter-Menil Foundation
Language: English
Address: One Copenhill
453 Freedom Parkway
Atlanta, GA 30307, USA
Telephone Number: (1–404) 420–5151; Human Rights: 420–5183
Fax Number: (1–404) 420–5196; 420–5196; 420–5145
Web Page: www.cartercenter.org

The Carter Center, founded in conjunction with Emory University in 1982, strives to advance peace and health in neighborhoods and nations around the globe. The Center, guided by a fundamental commitment to human rights, wages peace by bringing warring parties to the negotiating table, monitoring elections, safeguarding human rights, and building strong democracies through economic development. It also conducts research and collaborates with other organizations, public or private, in carrying out its mission. The goal is to help create a world where every man, woman, and child has the opportunity to enjoy good health and live in peace.

Name: Casa Alianza
Other Name: Covenant House Latin America
Languages: Spanish; English
Address: SJO 1039
P.O. Box 025216
Miami, Florida 33102–5216, USA
Telephone Number: (506) 253–5439
Fax Number: (506) 224–5689
Email: info@casa-alianza.org
Web Page: http://www.casa-alianza.org

Casa Alianza, founded in 1981, is dedicated to the defense and rehabilitation of street children in Guatemala, Honduras, México, and Nicaragua. Casa Alianza is the Latin American branch of the New York–based Covenant House, and advocates for children's rights in the region. Casa Alianza provides legal aid and defense to street children, and investigates, denounces, and prosecutes violators of children's rights in both local and international courts. It also provides direct program assistance to street children.

Name: Center for Civil and Human Rights, University of Notre Dame
Acronyms: CCHR
Language: English
Address: Notre Dame
IN 46556–0535, USA
Telephone Number: (1–219) 631–8555
Fax Number: (1–219) 631–8702
Email: law.cchr.1@nd.edu
Web Page: http://www.nd.edu/~cchr/

The Center for Civil and Human Rights at the Law School of Notre Dame (CCHR), founded in 1973, is an institute for advanced research and teaching. It focuses on international human rights and undertakes various research projects and maintains archives with a variety of materials from human rights organizations throughout the world. It is involved not only in the education of law students and lawyers but also in the education of the community at large concerning human rights issues throughout the world, through teaching programs, publications, and research projects. CCHR has a program where young lawyers from around the world spend a year together studying international human rights law so that they, in turn, may become teachers and advocates for the cause of human rights.

Name: Center for Economic and Social Rights
Other Name: Centro para Derechos Economicos y Sociales
Acronyms: CESR
Languages: English; Spanish
Address: 25 Ann St., 6th Floor
New York, NY 10038, USA
Telephone Number: (1–212) 634–3424
Fax Number: (1–212) 634–3425
Email: mgreen@cesr.org/rights@cesr.org
Web Page: www.cesr.org

The Center for Economic and Social Rights (CESR) is one of the first U.S.-based human rights organizations to develop a practical program of fact-finding, education, and advocacy in the area of economic and social rights. CESR works to promote sustainable human development through human rights activism. It works with scientists and community and social justice organizations to build public awareness and advocate for policy change. To demonstrate the viability of this new human rights model, CESR restricts its focus to countries in which the government is actively involved in egregious violation, communities are organized and request support, and remedies are feasible. CESR has three major program areas: Health and Environment, Global Economic Justice, and Education and Outreach.

Name: Centre for Applied Legal Studies
Acronyms: CALS
Address: University of the Witwatersrand

P.O. WITS 2050
South Africa
Telephone Number: (27–11) 403–6918; 403–6922
Fax Number: (27–11) 403–2431
Email: 125ta2ti@solon.law.wits.ac.za

The Centre for Applied Legal Studies (CALS), established in 1978, studies and monitors the South African legal system and works for changes that will eliminate discrimination and injustice.

Name: Center for Human Rights and Humanitarian Law of American University
Address: Washington College of Law
4801 Massachusetts Ave., Suite 310
Washington, DC 20016–8181, USA
Telephone Number: (1–202) 274–4180
Fax Number: (1–202) 274–4130
Email: humlaw@wcl.american.edu
Web Page: http://www.wcl.american.edu/pub/humright

The Center for Human Rights and Humanitarian Law was established at the Washington College of Law of American University in 1990. The Center sponsors conferences with international organizations and NGOs. It also assists in developing human rights and humanitarian materials, and trains lawyers in the theory and practice of human rights and humanitarian law. As well, the Center is a home for U.S. and foreign human rights monitors and scholars to study and pursue research in these areas.

Name: Centre for International and Comparative Human Rights Law, Queens University of Belfast
Language: English
Address: School of Law
Belfast BT7 1NN
Northern Ireland
Telephone Number: (44–1232) 245–133
Fax Number: (44–1232) 325–590
Web Page: http://www.law.qub.ac.uk/

The Centre for International and Comparative Human Rights Law, of Queen's University, Belfast, supports a community of researchers in the area of human rights and promotes cooperation with other academic and human rights institutions, so as to produce scholarship of excellence in the field.

Name: Center for the Study of Human Rights, Columbia University
Acronyms: CSHR
Language: English
Address: 1108 International Affairs Building
420 West 118th St.
New York, NY 10027, USA
Telephone Number: (1–212) 854–2479
Fax Number: (1–212) 316–4578
Email: cshr@columbia.edu
Web Page: http://www.columbia.edu/cu/humanrights

The Center for the Study of Human Rights (CSHR), established in 1978, works to promote human rights research and education on a multidisciplinary basis at Columbia University and overseas. It seeks to integrate human rights education and research into the fields of law, the social sciences, the humanities, international and public affairs, public health, and social work. Overseas it promotes the research and educational capacities of educational institutions and human rights NGOs.

Name: Center for Women's Global Leadership
Language: English
Address: Rutgers, The State University of New Jersey
160 Ryders Lane
New Brunswick, NJ 08901–8555, USA
Telephone Number: (1–908) 932–8782
Fax Number: (1–908) 932–1180
Email: cwgl@igc.org;
Web Page: http://www.cwgl.rutgers.edu

The Center for Women's Global Leadership (Global Center), founded in 1989, is part of the Institute for Women's Leadership at Rutgers University. The Global Center's programs promote the leadership of women and advance feminist perspectives in policy-making processes in local, national, and international arenas. It also fosters women's leadership in the area of human rights through women's global leadership institutes, strategic planning activities, international mobilization campaigns, UN monitoring, global education endeavors, publications, and is also a resource center. The Global Center works from a human rights perspective with an emphasis on violence against women, sexual and reproductive health, and socioeconomic well-being. The Global Center's programs are in two broad areas of policy and advocacy: leadership development and global education.

Name: Centre on Housing Rights and Evictions, International Secretariat
Acronyms: COHRE
Languages: English; French; Spanish
Address: 83, rue de Montbrillant
1202 Geneva, Switzerland
Telephone Number: (41–22) 734–1028
Fax Number: (41–22) 734–1028
Email: sleckie@ibm.net

The Centre on Housing Rights and Evictions (COHRE), established in 1991, is committed to ensuring the full enjoyment of economic, social, and cultural rights for everyone, everywhere, with a particular focus on the right to adequate housing and

preventing forced evictions. It promotes practical legal and other solutions to the problem of homelessness, inadequate housing, and forced evictions. COHRE facilitates interaction between local community-based organizations and NGOs and the international human rights system by raising awareness of housing rights and promoting the application of international human rights law and mechanisms to protect such rights.

Name: Centro de Derechos Humanos "Fray Bartolome de las Casas"
Other Name: Fray Bartolome de las Casas Center for Human Rights
Acronyms: CDHFBC
Language: Spanish
Address: Centro de Derechos Humanos
"Fray Bartolomé de las Casas"
Apartado Postal 178
San Cristóbal de Las Casas, Chiapas, México
Telephone Number: (52–9) 678–7396; 678–7395
Fax Number: (52–9) 67–88–35–51
Email: cdhbcasas@laneta.apc.org
Web Page: http://www.laneta.apc.org/cdhbcasas/

The "Fray Bartolomé de Las Casas" Human Rights Center (CDHFBC), founded in 1989, works to promote and defend human rights without distinction of creed or political orientation, giving preference to those victims who are socially marginalized by their poverty. A Christian organization, the Center carries out its work in the spirit of the evangelical teachings. CDHFBC verifies and documents abuses, examines national and international legislation, asks the corresponding authorities to comply with and respect recognized human rights norms, and promotes such legal norms. CDHFBC provides materials, courses, and workshops to facilitate an understanding of human rights and the mechanisms for defending and promoting them.

Name: Civicus: World Alliance for Citizen Participation
Acronyms: CIVICUS
Language: English
Address: 919 18th St. NW, 3rd Floor
Washington, DC 20006, USA
Telephone Number: (1–202) 331–8518
Fax Number: (1–202) 331–8774
Email: info@civicus.org
Web Page: http://www.civicus.org

The World Alliance for Citizen Participation (CIVICUS), founded in 1993, is dedicated to strengthening citizen action and civil society throughout the world. CIVICUS works to help nurture the foundation, growth, protection and resourcing of citizen action throughout the world, and especially in areas where participatory democracy, freedom of association of citizens, and their funds for public benefit are threatened. CIVICUS also has programs to promote leadership roles of women in civil society, youth participation in civil society, and corporate philanthropy and corporate citizenship.

Name: Civil Liberties Organisation
Acronyms: CLO
Address: 1A, Hussey St.
Jibowu-Yaba
Lagos, Nigeria
Telephone Number: (234–1) 774–6694; 584–0288
Fax Number: (234–1) 584–0288
Email: clo@gacom.net
Web Page: http://www.clo.org.ng

The Civil Liberties Organisation (CLO), established in 1987, promotes the principles and practices of fundamental human rights in Nigeria as enshrined in the constitution of Nigeria and in accordance with the African Charter on Human and Peoples' Rights and the UN Declaration on Human Rights. CLO provides legal aid in cases involving gross abuse or violation of human rights and conducts research on human rights issues, including conditions in Nigerian prisons and police. It also mounts campaigns to expose governmental abuses.

Name: Comision Andina de Juristas
Other Name: Andean Commission of Jurists
Acronyms: ACJ
Address: Los Sauces 285
San Isidro
Lima, Peru
Telephone Number: (511) 440–7907; 442–8094
Fax Number: (511) 442–6468
Email: postmast@cajpe.org.pe
Web Page: www.cajpe.org.pe

The Andean Commission of Jurists (ACJ), founded in 1982, carries out its activities in the six countries of the Andean region. It supports the creation and spread of democratic institutions and the reform and modernization of the State from a democratic perspective and encourages respect for human rights. ACJ carries out comparative analysis of the Andean region. Its work promotes the creation of spaces for pluralistic dialogue, the formulation of specialized and reliable opinions, detailed and systematized information, and demonstrates a versatile use of opportunities to comment on and directly influence political decision-making. It promotes the domestic application of the international law of human rights and systematically follows up the situation of human rights in the region, including the promotion and protection of women's rights, and the rights of indigenous peoples.

Name: Comision Chilena de Derechos Humanos
Other Name: Chilean Commission for Human Rights
Acronyms: CCHDH

Language: Spanish
Address: Santa Lucia 162
Santiago, Chile
Telephone Number: (56–2) 633–3995; 633–3041
Fax Number: (56–2) 633–5562

The Chilean Commission for Human Rights (CCHDH), established in 1978, works for the protection and promotion of human rights in Chile as defined by the Universal Declaration of Human Rights and other international human rights covenants and treaties. CCHDH denounces all individual, civil, political, or social violations of human rights of Chileans, at home or abroad; provides legal assistance to victims of human rights violations, and collects information on human rights violations for presentation to national and international bodies. It also promotes international solidarity with the victims of human rights violations in Chile, and struggles for the derogation of legislation that facilitates the violation of those rights guaranteed by the Chilean constitution and by international instruments.

Name: Comision de Derechos Humanos de El Salvador (No-Gubernamental)
Other Name: Human Rights Commission of El Salvador (Nongovernmental)
Acronyms: CDHES
Address: Colonia Miralvalle
Calle Genova No. 383
San Salvador, El Salvador
Telephone Number: (503) 229–5750
Fax Number: (503) 228–0316

The Human Rights Commission of El Salvador (CDHES), founded in 1978, works to promote observance of human rights in El Salvador. CDHES documents cases of human rights violations, prepares official denunciations, using both domestic and international legal resources and investigates complaints as well as gathers testimony from on-site visits. It compiles statistical data on different aspects of human rights violations and provides psychological counseling to victims of human rights abuses, particularly to children and their relatives.

Name: Comision Ecumenica de Derechos Humanos
Other Name: Ecumenical Commission for Human Rights
Acronyms: CEDHU
Address: Casilla 17–03–720
Quito, Ecuador
Telephone Number: (593–2) 570–619
Fax Number: (593–2) 580–825
Email: cedhu@ecuanex.net.ec
Web Page: www.derechos.net/cedhu/index.htm

The Comision Ecumenico de Derechos Humanos (CEDHU), founded in 1978, promotes awareness of basic rights and develops educational programs especially among popular organizations and investigates and systematizes complaints of human rights violations in Ecuador. CEDHU also provides legal assistance to persons and groups whose rights are violated and provides teachers, students, and other groups with human rights documentation and materials, as well as coordinates activities with other human rights groups through the Frente Ecuatoriano por la Defensa de los Derechos Humanos. It participates in campaigns of solidarity with other Latin American countries.

Name: Comision para la Defensa de los Derechos Humanos en Centroamerica
Other Name: Commission for the Defense of Human Rights in Central America
Acronyms: CODEHUCA
Address: Apartado Postal 189
Paseo de los Estudiantes
San José 1002, Costa Rica
Telephone Number: (506) 224–5970; 225–0270; 253–7827
Fax Number: (506) 234–2935
Email: secop@codehuca.or.cr
Web Page: http://www.codehuca.or.cr/

The Commission for the Defense of Human Rights in Central America (CODEHUCA), formed in 1978, researches and analyzes the civil and political rights; economic, social, and cultural rights; and the rights of peoples (peace, self-determination, a healthy and safe environment, development, and sovereignty). CODEHUCA fights vigorously for the human rights of Central Americans through its twelve member human rights organizations in Belize, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, and Panama.

Name: Comite de Familiares de victima de las Violaciones de Derechos Humanos de El Salvador "Marianella Garcia Villas"
Other Name: Committee of Relatives for the Liberation of Political Prisoners and Disappeared "Marianella Garcia Villas"
Acronyms: CODEFAM
Language: Spanish
Address: Calle Gabriela Mistral
No. 614
Colonia Centroamérica
San Salvador, El Salvador
Telephone Number: (503) 226–7989
Fax Number: (503) 226–7989
Email: emendozaz@navegante.com.sv

The Comite de Familiares Pro-Libertad de Presos y Desaparecidos Politicos de El Salvador (CODEFAM) "Marianella

Garcia Villas," established in 1981, works to liberate political prisoners and to discover the fate of those who have disappeared. CODEFAM works to promote and defend human rights and raise public awareness of the issues. It investigates prison conditions, allegations of torture, and disappearances.

Name: Comite Latinoamericano para la Defensa de los Derechos de la Mujer
Other Name: Latin American Committee for the Defense of Women's Rights
Acronyms: CLADEM
Languages: Spanish; English
Address: Jr. Estados Unidos 1295
Jesús Maria
Lima 11, PERU
Telephone Number: (51–1) 463–9237
Fax Number: (51–1) 463–5898
Email: cladem@chavin.rcp.net.pe
Web Page: http://www.derechos.org/cladem

The Comite Latinoamericano para la Defensa de los Derechos de la Mujer (CLADEM) is a regionwide network of women's organizations founded in 1987. It has 17 national offices. CLADEM plans strategies for regional actions to encourage the defense and exercise of women's rights in Latin America. It promotes exchanges of experiences in women's defense work within the region, consolidates links of solidarity among women at the national, regional, and interregional levels, and creates mechanisms for immediate response to emergencies. CLADEM works for greater participation by women from their perspective and interests in the discussion and decision-making on national and regional issues. It also works to develop an alternative concept of law that will contribute to the elimination of all forms of discrimination.

Name: Commonwealth Human Rights Initiative
Acronyms: CHRI
Language: English
Address: F1/12A Hauz Khas Enclave
New Delhi 110 016, India
Telephone Number: (91–11) 686–4678; 685–9823; 652–8152
Fax Number: (91–11) 686–4688
Email: chriall@nda.vsnl.net.in

The Commonwealth Human Rights Initiative (CHRI), established in 1987, is a joint undertaking of five nongovernmental Commonwealth organizations. CHRI's purpose is to make human rights a higher priority for the Commonwealth, and a reality for citizens in all 54 Commonwealth countries. It tries to persuade governments to pay more attention to human rights and has set up an expert group on intergovernmental cooperation in the field. CHRI also serves as a link with over 250 NGO and watchdog groups in the Commonwealth.

Name: Coordinating Committee of Human Rights Organizations in Thailand
Acronyms: CCHROT
Languages: Thai; English
Address: c/o UCL
109 Shuthisanwinijchai Rd.
Samsen-Nok, Huaykwang
Bangkok 10310, Thailand
Telephone Number: (66–2) 276–9846 to 7
Fax Number: (66–2) 693–4939

The Coordinating Committee of Human Rights Organizations in Thailand (CCHROT), founded in 1983, coordinates the work of human rights organizations in Thailand. It works with member organizations to develop common policies and strategies, and helps link NGOs with relevant government organizations in Thailand and abroad. CCHROT has a documentation and information system for use in public awareness campaigns on such issues as farmers' rights and prostitution. CCHROT also helps coordinate urgent action campaigns and assists with the annual human rights commemoration held during Human Rights Week.

Name: Cultural Survival
Acronyms: CS
Languages: English; Spanish; Portuguese; Danish
Address: Center for Cultural Survival
96 Mt. Auburn St.
Cambridge, MA 02138, USA
Telephone Number: (1–617) 441–5400
Fax Number: (1–617) 441–5417
Email: csinc@cs.org
Web Page: www.cs.org

Cultural Survival (CS), founded in 1972, works in educational and communication forums that advocate the rights, voice, and vision of indigenous peoples. CS draws attention to issues confronting indigenous peoples through its publications, student conferences, and educational outreach. It promotes the cause of self-determination and provides important and carefully analyzed information that is used by indigenous and non-indigenous peoples.

Name: Danske Center for Menneskerettigheder
Other Name: Danish Centre of Human Rights
Acronyms: DCHR
Languages: Danish; English
Address: 38 Studiestraede
1455 Copenhagen, Denmark
Telephone Number: (45–33) 30–88–88
Fax Number: (45–33) 30–88–00

Email: hb@humanrights.dk; center@humanrights.dk
Web Page: http://www.humanrights.dk

The Danish Centre for Human Rights (DCHR), established in 1987, undertakes research, information, education, and documentation relating to Danish, European, and international human rights conditions. DCHR considers human rights work to be interdisciplinary, including law, anthropology, sociology, economics, humanities, journalism, and pedagogy. It cooperates with organizations and public authorities in Denmark, and with human rights centers and humanitarian organizations in other countries.

Name: Defence for Children International
Other Name: Defensa de los Ninos Internacional; Defense des Enfants International
Acronyms: DCI; DNI; DEI
Languages: English; French; Spanish
Address: C.P. 88
CH-1211
Geneva 20, Switzerland
Telephone Number: (41–22) 734–0550
Fax Number: (41–22) 740–1145
Email: dci-hq@pingnet.ch, dci-juv.justice@pingnet.ch
Web Page: http://www.defence-for-children.org

Defence for Children International (DCI), founded in 1979, works through its branches in over 60 countries to ensure ongoing, practical, systematic, and concerted international action specially directed toward promoting and protecting the rights of the child. DCI publishes information on all aspects of children's rights, investigates cases of violations, monitors and evaluates the practical implementation of children's rights, and works to stimulate international cooperation and action nationally, regionally, and internationally to improve the response to children's rights problems.

Name: Derechos Human Rights
Acronyms: DERECHOS
Languages: English; Spanish
Address: P.O. Box 2516
El Cerrito, CA 94530–5516, USA
Telephone Number: (1–510) 528–7794
Fax Number: (1–510) 528–9710
Email: hr@derechos.org
Web Page: http://www.derechos.org

Derechos Human Rights (DERECHOS), founded in 1996, works for the respect and promotion of human rights all over the world. DERECHOS uses the Internet as its primary tool and focuses on public education of human rights and human rights violations. DERECHOS also investigates human rights abuses, including their causes and consequences and contributes to the development of international and national human rights law and the rule of law. It fights against the impunity of human rights violators and assists human rights NGOs, activists, and victims of human rights or humanitarian law violations.

Name: Diplomacy Training Program
Acronyms: DTP
Language: English
Address: DTP, Faculty of Law
University of New South Wales
Sydney, 2052, Australia
Telephone Number: (61–2) 93–85–28–07; 93–85–22–77
Fax Number: (61–2) 93–85–17–78; 93–85–11–75
Email: dtp@unsw.edu.au
Web Page: http://www.law.unsw.edu.au/centres/dtp

The Diplomacy Training Program (DTP), established in 1989, is affiliated with the University of New South Wales providing human rights training in the Asia-Pacific region. A specialized program in the region that trains in human rights and "people's diplomacy" skills to NGOs and other sectors of civil society. DPT has developed specialized teaching materials and participatory skill-building methods. It provides an introduction to international human rights standards and procedures, and practical skills for human rights education, lobbying, peace-building, working with the media, and good governance.

Name: Disabled Peoples' International
Other Name: Organisation mondiale des personnes handicapées; Organizacion Mundial de Personas Impedidas
Acronyms: DPI; OMPH; OMPI
Languages: English; French; Spanish
Address: 101–7 Evergreen Place
Winnipeg
Manitoba R3L 2T3, Canada
Telephone Number: (1–204) 287–8010
Fax Number: (1–204) 453–1367
Email: dpi@dpi.org, kiwanuka@dpi.org
Web Page: www.dpi.org

The Disabled Peoples' International (DPI), founded in 1980, speaks to governments, NGOs, and others on issues that affect disabled people. DPI also addresses issues of justice, human rights, peace, and international development through the development of partnerships and linkages with government, business, and the academic world wherever they might be mutually beneficial.

Name: Droits de l'homme sans frontierès
Other Name: Human Rights Without Frontiers
Languages: French; English
Address: Ave. Winston Churchill 11/33
1180 Brussels, Belgium

Telephone Number: (32–2) 345–6145
Fax Number: (32–2) 343–7491
Email: info@hrwf.net

Human Rights Without Frontiers (HRWF) works to promote democracy, the rule of law, and the rights of the individual—man, woman, and child—everywhere in the world, by every appropriate means.

Name: ECPAT International
Other Name: End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes
Acronyms: ECPAT
Language: English
Address: 328 Phayathai Rd.
Bangkok 10400, Thailand
Telephone Number: (66–2) 519–2794
Fax Number: (66–2) 519–2794
Email: ecpatbkk@ksc15.th.com
Web Page: http://www.ecpat.net

ECPAT, founded in 1990, is a global network of organizations and individuals working together for the elimination of commercial sexual exploitation of children: child prostitution, child pornography, and the trafficking of children for sexual purposes. It seeks to encourage the world community to ensure that children everywhere enjoy their fundamental rights free and secure from all forms of commercial sexual exploitation. It motivates local communities to find strategies that will protect children and works closely with NGOs, IGOs, and other individuals and groups. ECPAT provides training for personnel working to rehabilitate child victims and seeks ways to control the flow of child pornography. It works with young people to develop solutions and the tourist industry to prevent child sex tourism.

Name: Egyptian Organization for Human Rights
Acronyms: EOHR
Languages: Arabic; English
Address: 8/10 Matahaf El-Manyal Street
10th Floor
Manyal El Roda, Cairo, Egypt
Telephone Number: (20–2) 363–6811; 362–0467
Fax Number: (20–2) 362–1613
Email: eohr@link.com.eg, eohr@idsc.gov.eg
Web Page: http://www.eohr.org.eg

The Egyptian Organization for Human Rights (EOHR), founded in 1985, works for the support and defense of human rights in Egypt. EOHR monitors the human rights situation in Egypt and defends the rights of Egyptian citizens against human rights violations, regardless of the identity or the affiliation of the victim(s) or of the violator(s). It acts against both governmental and nongovernmental human rights violations. EOHR reports human rights violations and tries to create a strong popular understanding and support for human rights principles. EOHR urges the authorities to revise all laws that are not in line with international human rights standards, and calls upon the government to stop all practices that disregard Egypt's international commitments. EOHR also tries to encourage national and international civil institutions to take steps to stop human rights abuses. EOHR has seventeen provincial branches located throughout Egypt.

Name: Ethiopian Human Rights Council
Acronyms: EHRCO
Languages: English; Amharic
Address: P.O. Box 2432
Addis Ababa, Ethiopia
Telephone Number: (251–1) 51–44–89
Fax Number: (251–1) 41–45–39
Email: ehrco@telecom.net.et

The Ethiopian Human Rights Council (EHRCO), established in 1991, works to promote human rights, democracy, and the rule of law in Ethiopia. EHRCO monitors the human rights situation in the country, documents violations, and publishes reports that are disseminated nationally and internationally. It receives individual complaints of violations, intercedes with the authorities on behalf of victims, and provides legal assistance to those whose rights have been violated.

Name: European Consultation on Refugees and Exiles
Other Name: Consultation européenne sur les réfugiés et les exiles; Consulta Europea sobre Refugiados and Exiliados
Acronyms: ECRE; CERE; CERE
Languages: English; French; Spanish
Address: Bondway Hous
3/9 Bondway
London SW8 1SJ, United Kingdom
Stapleton Ho., Clifton Centre
Unit 22, 110 Clifton St.
London EC2A, 4HT UK
Telephone Number: (44–20) 77–29–51–52
Fax Number: (44–20) 77–29–51–41
Email: ecre@ecre.org
Web Page: http://www.ecre.org

The European Consultation on Refugees and Exiles (ECRE), founded in 1976, is an umbrella for member agencies in 25 countries working toward fair and humane policies for the treatment of asylum seekers and refugees. It provides member agencies with accurate and detailed information on all aspects of the European refugee situation through monitoring and collecting information. ECRE also undertakes advocacy work, through its member organizations to improve the situation of refugees in Europe. It also runs a forum for legal practitioners to discuss issues facing them on a daily basis. ECRE also works

to develop policies that will demonstrate the mutual realization of refugee and host states' interests and needs.

Name: European Legal Network on Asylum and Exiles
Acronyms: ELENA
Languages: English; French; Spanish
Address: c/o France Terre d'Asile
425 rue Ganneron
75018 Paris, France
Telephone Number: (33–1) 53–04–39–99
Fax Number: (33–1) 53–04–02–40
Email: E-mail: 100753.1030@compuserve.com
Web Page: http://www.ecre.org

ELENA is a forum, as part of the ECRE's work, for legal practitioners who aim to promote the highest human rights standards for the treatment of refugees, asylum seekers, and other persons in need of international protection in their daily counseling and advocacy work. The ELENA network extends across 25 central and western European states and involves some 2,000 lawyers and legal counselors.

Name: European Roma Rights Center
Other Name:
Acronyms: ERRC
Language: English
Address: P.O. Box 10/24
H-1525 Budapest 114, Hungary
Telephone Number: (36–1) 428–2351
Fax Number: (36–1) 428–2356
Email: attila@errc.org
Web Page: http://www.errc.org

The European Roma Rights Center (ERRC), founded in 1995, is an international public interest law organization that monitors the situation of Roma in Europe and provides legal defense to victims of human rights violations. The ERRC acts to combat racism and discrimination against Roma and to empower Roma to their own defense by engaging in activities, which include monitoring the human rights situation of Roma in Europe; publishing information on human rights abuse of Roma and news about the Romani civil rights movement in the form of press releases; reports on the situation of Roma in various countries; legal defense by providing and supporting legal services to Romani victims of human rights violations; conducting seminars aimed at the dissemination of information concerning Roma rights and the promotion of change-oriented litigation and law reform; advocating Roma rights in domestic and international governmental and nongovernmental settings; maintaining a documentation center of Roma-related human rights and legal material; awarding grants to nongovernmental organizations that defend the rights of Roma; offering scholarships and stipends to Romani students of law and public administration.

Name: Federacion Latinoamericana de Asociaciones Familiares de Detenidos-Desaparecidos
Other Name: Latin American Federation of Associations of Families of the Detained-Disappeared
Acronyms: FEDEFAM
Languages: Spanish; English
Address: Apartado 2444
Carmelitas 1010–A
Caracas, Venezuela
Telephone Number: (58–2) 564–0503; 564–2746
Fax Number: (58–2) 564–2746
Email: fedefam@true.net

The Latin American Federation of Associations of Families of the Detained-Disappeared (FEDEFAM), founded in 1981, works on problems of the detained-disappeared in Latin America and the Caribbean. It is made up of the Asociaciones de Familiares of the countries of Latin America and the Caribbean in which there are forced disappearances. FEDEFAM works to rescue the detained-disappeared alive and to bring before justice those responsible for these crimes. It also works for the enactment of national and international legal norms that will define forced disappearance as a crime against humanity and that will prevent its occurrence and the return of the children of the detained-disappeared to their proper homes.

Name: Fédération internationale de l'action des chrétiens pour l'abolition de la torture
Other Name: International Federation of Christian Action for the Abolition of Torture
Acronyms: FIACAT
Address: 7, rue Georges Lardennois
75019 Paris, France
Telephone Number: (33–1) 40–40–42–43
Fax Number: (33–1) 40–40–42–44
Email: acat-fr@worldnet.fr
Web Page: http://home.worldnet.fr/acatfr/

The International Federation of Christian Action for the Abolition of Torture (FIACAT), established in 1974, works to mobilize the Christian community in the struggle against torture, the mistreatment of individuals, and the incarceration of political prisoners and dissidents in psychiatric hospitals. It also campaigns for the respect of human rights covenants and other international instruments concerned with human rights.

Name: Fédération internationale des ligues des droits de l'homme
Other Name: International Federation of Human Rights Leagues; Federacion Internacional de Liguas de Derechos Humanos
Acronyms: FIDH
Languages: French; English; Spanish
Address: 17, Passage de la Main d'Or
75011 Paris, France

Telephone Number: (33–1) 43–55–25–18
Fax Number: (33–1) 43–55–18–80
Email: fidh@csi.com
Web Page: www.fidh.imaginet.fr

The International Federation of Human Rights Leagues (FIDH), founded in 1922, works to promote the implementation of the Universal Declaration of Human Rights and other international instruments of human rights protection. It conducts interventions, public awareness campaigns, missions, training, and supports human rights activists through judicial cooperation programs. FIDH also lobbies international authorities on human rights issues.

Name: Foundation for Human Rights Initiative
Acronyms: FHRI
Language: English
Address: P.O. Box 11027
Kampala, Uganda
Telephone Number: (256–41) 530–095/6
Fax Number: (256–41) 540–561
Email: fhri@starcom.co.ug
Web Page: http://www.hri.ca/parnters/fhri/

The Foundation for Human Rights Initiative (FHRI), formed in 1992, works to provide better formulation and understanding of human rights strategies and programs, and advocates for just and humane laws. It also encourages sharing of information and experience among human rights workers and supports paralegal training, conferences, and meetings. FHRI also provides legal advice, counseling, and referrals.

Name: François-Xavier Bagnoud Center for Health and Human Rights
Acronyms: FXB Center
Language: English
Address: 651 Huntington Ave.
7th Floor
Boston, MA 02115, USA
Telephone Number: (1–617) 432–0656; 432–4315; 432–4611
Fax Number: (1–617) 432–4310
Email: fxbcenter@igc.apc.org
Web Page: http://www.hri.ca/partners/fxbcenter

The François-Xavier Bagnoud Center for Health and Human Rights (FXB Center), established in 1993, focuses exclusively on health and human rights, combines the academic strengths of research and teaching with a strong commitment to service and advocacy. The FXB Center works at international and national levels through collaboration and partnerships with health and human rights practitioners, governmental and NGOs, academic institutions, and international agencies to catalyze the health and human rights movement. It also works to influence policies and practices and expand the knowledge about linkages between health and human rights in specific contexts such as HIV/AIDS, children's rights and health, and women's health and rights.

Name: Freedom House
Languages: English; Capabilities in Russian; Ukrainian; French; English
Address: 120 Wall Street
Floor 26
New York, NY 10005, USA
Telephone Number: (1–212) 514–8040
Fax Number: (1–212) 514–8050
Email: fh@freedomhouse.org; kguida@freedomhouse.org; freedomhs2@aol.com freedom
Web Page: http://www.freedomhouse.org

Freedom House, founded in 1941, champions the rights of democratic activists, religious believers, trade unionists, journalists, and proponents of free markets. It is an advocate for the world's young democracies and it conducts research, education, and training initiatives that promote human rights, democracy, free market economics, the rule of law, independent media, and U.S. engagement in international affairs.

Name: Gesellschaft fur Bedrohte Volker
Other Name: Society for Threatened Peoples
Acronyms: GfbV
Address: Postfach 2024
D-37010 Goettingen, Germany
Telephone Number: (49–551) 49–90–60
Fax Number: (49–551) 58–0–28
Email: info@gfbv.de
Web Page: http://www.gfbv.de

The Society for Threatened Peoples (GfbV), founded in 1970, works to protect and toward the realization of human rights of groups worldwide. The main focus of GfbV includes continuous distribution of information about the situation of persecuted and threatened peoples through press releases and conferences, appeals, demonstrations, and protest actions. It also advises journalists, publishers, publishing houses, solicitors, and relief agencies and supports political refugees and members of minorities in applying for political asylum status, and gives background information for solicitors and courts.

Name: Global Alliance Against Traffic in Women
Acronyms: GAATW
Language: English
Address: P.O. Box 1281
Bangkrak Post Office
Bangkok 10500, Thailand
Telephone Number: (66–2) 864–1427
Fax Number: (66–2) 864–1637

Email: GAATW@mozart.inet.co.th
Web Page: http://www.inet.co.th/org/gaatw

The Global Alliance Against Traffic in Women (GAATW), founded in 1994, works to ensure that the human rights of trafficked women are respected and protected by authorities and agencies. GAATW involves grassroots women in all work to improve practical support to trafficked persons and advocacy work at all levels. It trains antitrafficking activists to apply a human rights framework for promoting and protecting the rights of trafficked persons. It also builds alliances with international organizations at all levels in enforcing and utilizing the existing human rights instruments to address trafficking issues. GAATW campaigns for a new definition of trafficking in persons and promotes and facilitates action research on issues relating to traffic in women.

Name: Global Sisterhood Network
Acronyms: GSN
Language: English
Address: University of Melbourne
Parkville, Victoria 3052, Australia
Telephone Number: (61–3) 93–44–6556
Fax Number: (61–3) 93–44–7959
Email: globalsisterhood@onelist.com
Web Page: http://home.vicnet.net.au/~globalsn

The Global Sisterhood Network (GSN), founded in 1996, monitors electronic and print media for developments in agriculture, economics, employment, environment, health, law, militarism, politics, technology, trade, and science that have a direct impact on the realities of women's lives. GSN provides regularly updated information and helps in projects that work to improve the quality of lives of women and children as well as protect their rights.

Name: Groupe d'études et de recherches sur la démocratie et le développement économique et social—Afrique
Other Name: Study and Research Group on Democracy and on Economic and Social Development—Africa
Acronyms: GERDDES; ICRD
Languages: English; French; Portuguese
Address: BP 1258
Cotonou, Benin
Telephone Number: (229) 334–333
Fax Number: (229) 334–499; 334–332

The Study and Research Group on Democracy and on Economic and Social Development—Africa (GERDDES-Africa), founded in 1990, works to advance the course of democracy with a view to accelerating the development process in African countries. The International Centre for Research and Democracy and Development (ICRD), which is the research and executive organ of GERDDES-Africa, opened in 1994. ICRD conducts studies, research, and training on issues relating to democracy and development in Africa, and proposes or undertakes actions to promote, defend, and consolidate democracy in Africa, particularly election observation and free press issues.

Name: Guyana Human Rights Association
Acronyms: GHRA
Language: English
Address: P.O. Box 10653
Georgetown, Guyana
Telephone Number: (592–2) 61789; 74911
Fax Number: (592–2) 74948
Email: ghra.guy@solutions2000.net

The Guyana Human Rights Association (GHRA), founded in 1979, works to monitor and defend civil and political rights, especially those relating to the administration of justice, freedom of expression, and democracy. GHRA also works to secure the economic, social, and cultural rights of vulnerable sectors of society, especially women, indigenous people, people with disabilities, children, minorities, HIV/AIDS carriers, and prisoners. It promotes a human rights culture free from inequality and discrimination. GHRA makes available documentation about human rights violations, especially violations against the integrity of the person and due process of law.

Name: Handicap International
Language: French
Address: 14, Avenue Berthelot
Lyon Cedex 07
Paris 69361, France
Telephone Number: (33) 478–69–79–79; Minitel 3615 HANDICA
Fax Number: (33) 478–69–79–94
Email: handicap-international@infonie.fr
Web Page: http://www.handicap-international.org

Handicap International, founded in 1982, intervenes in favor of the handicapped and the most vulnerable populations wherever and whenever armed conflict has destroyed existing systems of assistance and solidarity. Similar assistance is also made available in countries where there are severe economic problems, or where its expertise in prevention and socioeconomic development is requested. It conducts projects in rehabilitation, prevention, rural development, and emergency programs.

Name: Human Rights Advocates
Acronyms: HRA
Languages: English; Spanish
Address: P.O. Box 5675
Berkeley, CA 94705, USA
Telephone Number: (1–650) 341–2585
Fax Number: (1–650) 341–1395

Email: cindy@mcglashan.com
Web Page: http://www.humanrightsadvocates.org

Human Rights Advocates (HRA), founded in 1978, works to promote the development and effective use of international law through study, education, and practice. It provides education concerning the application of international human rights law in domestic forums and promotes this body of law domestically and internationally. HRA works to protect the fundamental human rights of individuals such as migrant workers and asylum seekers in California, administrative detainees in Asia, and people without food in Ethiopia. It also works to direct needed emphasis to rights frequently neglected: the rights of civilian victims and prisoners of war, and the interrelationship between armed conflict and human rights violations. HRA works to draw attention to the issue of population transfer as a violation of human rights. It also works to bring international attention to the growing problem of environmental refugees, persons displaced by widespread pollution of streams and lands and by development projects. HRA provides its legal expertise and assistance to lawyers involved in lawsuits in which international human rights law can be used effectively.

Name: Human Rights Centre, University of Essex
Language: English
Address: Wivenhoe Park
Colchester
Essex C04 3SQ, UK
Telephone Number: (44–1206) 87–25–58
Fax Number: (44–1206) 87–36–27
Email: hrc@essex.ac.uk
Web Page: http://www2.essex.ac.uk/human_rights_centre/

The Human Rights Centre, established in 1983, coordinates the university's interdisciplinary human rights teaching program as well as its program of research, training, external consultancy and publication on international, comparative, and national aspects of human rights. The Centre brings academics from across the world to share their knowledge of their country and region.

Name: Human Rights Commission of Pakistan
Acronyms: HRCP
Address: Aiwan-i-Jamhoor
107 Tipu Block
New Garden Town
Lahore, Pakistan
Telephone Number: (92–42) 583–8341; 586–4994; 586–5969
Fax Number: (92–42) 571–3078

The Human Rights Commission of Pakistan, formed in 1986, works for the implementation of the Universal Declaration of Human Rights and for the ratification and implementation of other UN charters, covenants, and protocols on human rights. It promotes studies in the field of human rights and mobilizes public opinion through different media. It cooperates with and aids national and international organizations and individuals engaged in the promotion of human rights. It provides legal aid to victims and to persons striving to protect human rights.

Name: Human Rights Council of Australia
Acronyms: HRCA
Language: English
Address: P.O. Box 841
Marrickville
NSW, Australia 1475
Telephone Number: (61–02) 95–59–22–69
Fax Number: (61–02) 95–59–22–69
Email: agf@peg.apc.org; andref@mpx.com.au
Web Page: http://www.ozemail.com.au/~hrca

The Human Rights Council of Australia (HRCA), founded in 1978, promotes understanding of and respect for human rights for all persons without discrimination through adherence to the International Bill of Rights, and other human rights instruments, internationally and within Australia. It carries out research and advocacy on a human rights approach to development assistance and participates in continued advocacy on the rights of indigenous Australians. HRCA also conducts campaigns and holds conferences on a wide variety of topics.

Name: Human Rights Documentation Centre, University of Namibia
Address: Faculty of Law
New Campus
P/Bag 13301
Windhoek, Namibia
Telephone Number: (264–61) 206–3664
Fax Number: (264–61) 206–3293
Email: cmchombu@mail.unam.na; hrdc@unam.na

The Human Rights and Documentation Centre was established as part of the Faculty of Law of the University of Namibia in July 1993. It conducts research on human rights and promotes human rights in Namibia. It pays special attention to the rights of women, and works to educate Namibians on human rights issues.

Name: Human Rights in China
Acronyms: HRIC
Language: English
Address: 350 Fifth Ave., Suite 3309
New York, NY 10118, USA
Telephone Number: (1–212) 239–4495
Fax Number: (1–212) 239–2561
Email: Email: hrichina@hrichina.org
Web Page: http://www.hrichina.org

Human Rights in China (HRIC), founded in 1989, monitors the implementation of international human rights standards in the People's Republic of China and carries out human rights advocacy and education among Chinese people inside and outside the country. HRIC's work includes documenting and publicizing human rights abuses in China, informing Chinese people about international human rights standards and the methods by which they are enforced and assisting those persecuted and imprisoned in China for the nonviolent exercise of their rights. The primary focus of all of HRIC's work is to encourage and empower the nascent grassroots human rights movement in China.

Name: Human Right Internet
Other Name: Internet: International Human Rights Documentation Network; Internet: Réseau international de documentation sur les droits humains; Internet: Red Internacional de Documentación sobre los Derechos Humanos
Acronyms: HRI
Languages: English; French; Spanish
Address: 8 York St.
Suite 302
Ottawa, ON K1N 5S6, Canada
Telephone Number: (1–613) 789–7407
Fax Number: (1–613) 789–7414
Email: hri@hri.ca
Web Page: http://www.hri.ca

Human Rights Internet (HRI), founded in 1976, works to support the work of global NGOs in their struggle to obtain human rights for all. HRI works as an international communications network and clearinghouse on human rights with universal coverage, to make information on the human rights community easily available. HRI promotes human rights education, stimulates research, encourages the sharing of information, and builds international solidarity among those committed to the principles enshrined in the International Bill of Human Rights.

Name: Human Rights Program—Harvard Law School
Acronyms: HRP
Address: Pound Hall, Room 401
Harvard Law School
Cambridge, MA 02138, USA
Telephone Number: (1–617) 495–9362
Fax Number: (1–617) 495–1110
Email: hrp@law.harvard.edu
Web Page: http://www.law.harvard.edu/Programs/HRP

The Human Rights Program (HRP), founded in 1985, gives impetus and direction to international human rights work at Harvard Law School. It fosters course work, the participation of students in human rights activities, clinical work, and research and scholarship. Through its student internships, speaker series, visiting fellowships, clinical work, and applied research, the Program forges cooperative links with a range of human rights organizations in this country and abroad, and works with other Harvard faculties and programs engaged in human rights work. HRP also plans and directs international conferences on human rights issues, and publishes reports and scholarship resulting from them.

Name: Index on Censorship
Other Name: Writers and Scholars Educational Trust
Acronyms: WSET
Address: Lancaster House
33 Islington High St.
London N1 9LH, UK
Telephone Number: (44–171) 278–2313
Fax Number: (44–171) 278–1878
Email: frank@indexoncensorship.org
Web Page: www.indexoncensorship.org

The Index on Censorship (WSET), founded in 1970, works to document the censorship and repression of writers, scholars, journalists, and others worldwide. It assists in the publication of banned writings and provides a platform for the discussion of problems of freedom of expression.

Name: Indian Law Resource Center
Other Name: Centro de Recursos sobre el Derecho Indigenista
Languages: English; Spanish
Address: 602 North Ewing St.
Helena, MT 59601, USA
Telephone Number: (1–406) 449–2006
Fax Number: (1–406) 449–2031
Email: mt@indianlaw.org
Web Page: http://www.indianlaw.org/

The Indian Law Resource Center, founded in 1978, is dedicated to protecting the right of indigenous peoples to live with dignity and respect according to the ways of their ancestors. It works to ensure the survival of indigenous peoples, including protection of their land rights, environment, and right to self-determination. The Center provides legal and technical support to indigenous communities working on these issues, and works to reform national and international laws to recognize indigenous human rights.

Name: Informal Sector Service Centre
Acronyms: INSEC
Languages: Nepali; English
Address: P.O. Box 2726
Kathmandu, Nepal
Nepal Telephone Number: (977–1) 270–770; 278–770
Fax Number: (977–1) 270–551

Email: insec@mos.com.np
Web Page: www.hri.ca/partners/insec

The Informal Sector Service Centre (INSEC), founded in 1988, works to bring human rights services to the grassroots and general public. INSEC has five regional centers that monitor human rights violations and programs at district levels. In general, INSEC works to protect and promote human rights through advocacy, lobbying, training, education, information, campaigns and projects at national, regional, and grassroots levels. It has developed a methodology for its grassroots activities. It conducts studies, does research and organizes seminars to accumulate knowledge for future action, which is then used for implementation of activities at the grassroots level.

Name: Institut arabe des droits de l'homme
Other Name: Arab Institute for Human Rights
Acronyms: IADH; AIHR
Languages: French; English
Address: 14, rue El Jahedh
(via El Moez)
El Menzah 1004, Tunisia
Telephone Number: (216–1) 767–003; 767–889
Fax Number: (216–1) 750–911
Email: aihr.infocenter@gnet.tn

The Arab Institute for Human Rights (AIHR) was founded in 1989 by three groups: the Arab Organization for Human Rights (AOHR), the Arab Lawyers' Union (ALU), and the Tunisian League for the Defense of Human Rights (TLDHR). AIHR disseminates information on human rights principles as elaborated in the Universal Declaration of Human Rights and promotes and defends human rights throughout the Arab world. It promotes knowledge of civil, political, cultural, social, and economic human rights, and runs training courses in human rights for members of NGOs and various civic associations. It also conducts research on the status of women in Arab countries and human rights/democracy education in the Arab region, and promotes a network of information and data concerning the state of human rights in the Arab region through AHRINET, the Reseau arabe de documentation et d'information en droits de l'homme and publishes pedagogical material on human rights documentation.

Name: Institut international des droits de l'homme
Other Name: International Institute of Human Rights
Acronyms: IIDH; IIHR
Address: 2, Allee René Cassin
F-67000 Strasbourg, France
Telephone Number: (33–3) 88–45–84–45
Fax Number: (33–3) 88–45–84–50
Email: iidhiihr@mail.sdv.fr, iidhiihr@factorix.sdv.fr

The International Institute of Human Rights (IIDH), founded in 1969, works to promote and protect fundamental human rights through the study of human rights issues. It organizes international colloquia, seminars, and training courses; undertakes research work and encourages human rights education. IIDH also publishes books and periodicals, and collates and circulates documents.

Name: Institute for War and Peace Reporting
Acronyms: IWPR
Language: English
Address: Lancaster House
33 Islington High St.
London N1 9LH, UK
Telephone Number: (44–207) 713–7130
Fax Number: (44–207) 713–7140
Email: info@iwpr.net
Web Page: www.iwpr.net

The Institute for War and Peace Reporting (IWPR), founded in 1991, works to inform the international debate on conflict and supports the independent media development through collaborative journalistic projects and other forms of practical assistance in regions in transition. IWPR contributes to the resolution of conflict and to the strengthening of civil society, democracy, and the rule of law. It focuses on the Balkans, the Caucasus, and the Central Asian states, with additional projects elsewhere in Eastern Europe and the former Soviet Union. Comparative research projects consider the relationship between media and conflict in Africa, Asia, and Europe.

Name: Instituto Brasileiro de Analises Sociais e Economicas
Other Name: Instituto Brasileno de Analisis Socio-Economico; Brazilian Institute for Social and Economic Analyses
Acronyms: IBASE
Languages: Portugese; Spanish; English
Address: Rua Visconde de Ouro Preto
no.5—7o. andar—Botafogo 22250–180
Rio de Janeiro RJ, Brasil
Telephone Number: (55–21) 553–0676
Fax Number: (55–21) 552–8796
Email: ibase@ax.apc.org
Web Page: http://www.ibase.br

The Brazilian Institute for Social and Economic Analyses (IBASE), founded in 1981, works to build a democratic society through the dissemination of information and knowledge. IBASE works with peoples' movements and devotes itself to defending human rights, the law, general welfare, and above all, the participation of all citizens (men and women) in developing democracy. IBASE encourages national and international networking between NGOs, and works to promote greater interaction between NGOs. It offers courses, consultancy, and training to other NGOs on software devel-

opment, data processing, and communications. IBASE has also worked on projects for income generation, has created a database relevant to formulating policy in this area, and is working on a database to help evaluate the quality of life of Brazilians.

Name: Instituto de Defensa Legal
Other Name: Institute for Legal Defense
Acronyms: IDL; IDEELE
Languages: Spanish; English
Address: Toribio Polo 248
Lima 18, Peru
Telephone Number: (51–1) 441–0192; 442–4037
Fax Number: (51–1) 441–6128; 221–1237
Email: ideele@idl.org.pe

The Instituto de Defensa Legal (IDL), organized in 1983, provides legal services to people whose rights have been violated as well as providing training to labor leaders. IDL also formulates legislation to promote the enforcement of peoples' rights. It provides legal assistance to political prisoners, and publishes and disseminates educational materials on human rights.

Name: Instituto Interamericano de Derechos Humanos
Other Name: Inter-American Institute of Human Rights
Acronyms: IIDH; IIHR
Language: Spanish
Address: Apartado 10.081–1000
San José, Costa Rica
Telephone Number: (506) 234–0404
Fax Number: (506) 234–0955
Email: instituto@iidh.ed.cr, cediidh@sol.racsa.co.cr
Web Page: http://www.iidh.ed.cr

The Inter-American Institute of Human Rights (IIHR), founded in 1980, promotes and strengthens respect for human rights, and supports the consolidation of democracy through research, education, political mediation, technical assistance in the field of human rights, and through specialized publications.

Name: Instituto Latinoamericano de Servicios Legales Alternativos
Other Name: Latin American Institute for Alternative Legal Services
Acronyms: ILSA
Languages: Spanish; English
Address: ILSA, A.A. 077844
Bogota, Colombia
Telephone Number: (57–1) 245–5955; 288–4437; 288–4772; 288–3678; 288–0961; 288–0416
Fax Number: (57–1) 288–4854
Email: silsa@col1.telecom.com.co
Web Page: http://www.ilsa.org.co

The Instituto Latinoamericano de Servicios Legales Alternativos (ILSA), formed in 1978, supports and promotes a growing movement of innovative legal service agencies in Latin America and the Caribbean. ILSA serves as a point of encounter and reflection for NGOs from Mexico to Argentina that provide legal support services to community organizations in their struggle for social change. It promotes a comprehensive approach to the defense of human rights in the region and encourages the practice of law in the service of social change. ILSA runs programs in four areas: education for legal service agencies, communication, publication, and research. It maintains an extensive data bank on alternative legal practices and does research on issues relevant to the work of grassroots organizations and the legal services agencies that serve them.

Name: Institutt for Menneskerettigheter—Universitetet i Oslo
Other Name: Norwegian Institute of Human Rights—University of Oslo
Acronyms: NIHR
Languages: Norwegian; English
Address: Universitetsgaten 22/24
N-0162 Oslo, Norway
Telephone Number: (47–22) 84–20–45
Fax Number: (47–22) 84–20–02
Email: betty.haugen@nihr.uio.no; admin@nihr.uio.no
Web Page: http://www.uio.no/www-misc/imr/index.html

The Norwegian Institute of Human Rights, founded in 1987, is a university institute devoted to research on human rights. The research activity is divided into four research programs: universalization of human rights with particular emphasis on the role of the UN; human rights and the Council of Europe; human rights and normative traditions; human rights and development. The Institute contributes to the realization of internationally recognized human rights worldwide, through research, teaching, advice and international activities, and documentation and information.

Name: InterAfrica Group: Centre for Dialogue on Humanitarian, Peace and Development Issues in the Horn of Africa
Language: English
Address: P.O. Box 1631
Addis Ababa, Ethiopia
Telephone Number: (251–1) 518–790
Fax Number: (251–1) 517–554
Email: iag@telecom.net.et
Web Page: http://www.interafrica.org

The InterAfrica Group (IAG), established in 1991, is a center for dialogue on humanitarianism, peace, and development in the Horn of Africa. IAG is active with networks in the five

countries of the Horn of Africa (Djibouti, Eritrea, Ethiopia, Somalia, and Sudan). IAG's three thematic areas of work are humanitarianism and peace-building, economic reform, and governance and democratic development. IAG also hosts the NGO Networking Service, a project dedicated to improving the flow of information between the North and South and to the enhanced capacity of indigenous civil society organizations in the Horn of Africa.

Name: Interights: The International Centre for the Legal Protection of Human Rights
Acronyms: INTERIGHTS
Language: English
Address: Lancaster House
33 Islington High St.
London N1 9LH, UK
Telephone Number: (44–171) 278–3230
Fax Number: (44–171) 278–4334
Email: ir@interights.org
Web Page: www.interights.org

The International Centre for the Legal Protection of Human Rights (INTERIGHTS), founded in 1982, provides leadership in the development of legal protection for human rights and freedoms through the effective use of international and comparative human rights law. INTERIGHTS helps judges, lawyers, practitioners, NGOs, and victims with the practical application of international and comparative human rights law in national, regional, and international courts and tribunals. It focuses on pursuing existing legal remedies to protect human rights.

Name: International Alert
Acronyms: IA
Address: 1 Glyn St.
London SE11 5HT, UK
Telephone Number: (44–171) 793–8383
Fax Number: (44–171) 793–7975
Email: general@international-alert.org
Web Page: http://www.international-alert.org

International Alert (IA), founded in 1985, responds to violent conflict within countries and the subsequent abuse of individual and collective human rights in conflict situations by encouraging conflict resolution and peace-building efforts. IA works to identify and address the root causes of violence and contribute to the just and peaceful transformation of violent internal conflict. It seeks to strengthen the ability of people in conflict situations to make peace by facilitating dialogue at different levels and sectors of society in conflict; helping to develop and enhance local capacities—through, for example, funding or training, by facilitating peace-oriented development work amongst grassroots organizations and local peace-building initiatives; and, encouraging the international community to address the structural causes of conflict.

Name: International Centre for Human Rights and Democratic Development
Other Name: Centre international des droits de la personne et du developpement democratique; Centro Internacional de Derechos Humanos y Desarollo Democratico
Acronyms: ICHRDD; CIDPDD
Languages: English; French; Spanish
Address: 63, rue de Bresoles
Suite 100
Montreal, Quebec H2Y 1V7, Canada
Telephone Number: (1–514) 283–6073
Fax Number: (1–514) 283–3792
Email: ichrdd@ichrdd.ca
Web Page: http://www.ichrdd.ca

The International Centre for Human Rights and Democratic Development (ICHRDD), founded in 1988, is a Canadian institution with an international mandate. It works with citizens' groups and governments in Canada and abroad to promote human and democratic rights, as defined in the International Bill of Human Rights. ICHRDD's work emphasizes advocacy and capacity building. It provides political, financial, and technical support to many frontline human rights groups, indigenous peoples' groups, and democratic movements around the world. It advocates policy changes in national and international institutions, and strengthens the capacity of its partners to do the same. ICHRDD also assists the efforts of NGOs to gain access to multilateral institutions. It works to mainstream women's rights in human rights mechanisms. It brings together members of civil society and the State from different countries to discuss fundamental human rights and democratic development issues. It raises public awareness of human rights violations and sponsors research, publications, conferences, missions of enquiry, and other public events.

Name: International Centre for Trade Union Rights
Other Name: Centre international pour les droits syndicaux; Centro Internacional para los Derechos Sindicales
Acronyms: ICTUR; CIDS; CIDS
Languages: English; French; Spanish
Address: UCATT House
177 Abbeville Road
London SW4 9RL, UK
Telephone Number: (44–171) 498–4700
Fax Number: (44–171) 498–0611
Email: ictur@gn.apc.org
Web Page: http://www.ictur.labornet.org

The International Centre for Trade Union Rights (ICTUR), established in 1987, works to defend and extend the rights of trade unions and trade unionists around the world to collect information on and increase awareness of trade union rights and their violations. ICTUR carries out its activities in the

spirit of the United Nations Charter, the Universal Declaration of Human Rights, the International Labor Organisation Conventions, and appropriate international treaties. It uses its influence to extend and strengthen the rights of trade unions in line with the above declarations.

Name: International Confederation of Free Trade Unions
Other Name: Confédération internationale des syndicats libres; Internationaler Bund Freier Gewerkschaften; Confederacion Internacional de Organizaciones Sindicales Libres
Acronyms: ICFTU; CISL; IBFG; CIOSL
Languages: English; French; German; Spanish
Address: 5 Boulevard du Roi Albert II
Bte 1
1210 Brussels, Belgium
Telephone Number: (32–2) 224–0211
Fax Number: (32–2) 201–5815
Email: internetpo@icftu.org, press@icftu.org, turigts@icftu.org
Web Page: http://www.icftu.org

The International Confederation of Free Trade Unions (ICFTU), founded in 1949, works to promote workers' rights through campaigns on issues such as the respect and defense of trade union and workers' rights, the eradication of forced and child labor, the promotion of equal rights for working women, the environment, education programs for trade unionists all over the world, and encouraging the organization of young workers. It also sends missions to investigate the trade union situation in many countries.

Name: International Commission of Jurists
Other Name: Commission internationale de juristes; Comision Internacional de Juristas; Centre for the Independence of Judges and Lawyers; Centre pour l'indépendance des magistrats et des avocats; Centro para la Independencia de Jueces y Abogados
Acronyms: ICJ; CIJ; CIJ; CIJL; CIMA; CIJA
Address: P.O. Box 216
81 A Av. de Chatelaine
CH-1219
Chatelaine/Geneva Switzerland
Telephone Number: (41–22) 979–3800
Fax Number: (41–22) 979–3801; (41–22) 979–3824
Email: icjch@gn.apc.org, pandit@icj.org
Web Page: http://www.icj.org

The International Commission of Jurists (ICJ), founded in 1952, works to promote the understanding and observance of the rule of law, as well as the promotion and legal protection of human rights throughout the world. A special focus is the interdependence and interrelation of economic, social, cultural, civil, and political rights under the rule of law. The ICJ has a network of independent national sections and affiliated legal organizations around the world. It created Centre for the Independence of Judges and Lawyers (CIJL) in 1978 to promote and protect the independence of the judiciary and the legal profession, and monitor and endeavor to protect the human rights of persons working in legal professions.

Name: International Committee of the Red Cross
Other Name: Comité international de la croix rouge; Comite Internacional de la Cruz Roja
Acronyms: ICRC; CICR; CICR
Languages: English; French; Spanish
Address: 19, avenue de la Paix
CH-1202
Geneva, Switzerland
Telephone Number: (41–22) 734–6001; 730–2529
Fax Number: (41–22) 734–8280; 733–2057; 730–2899; 730–2250
Email: mveuthey@icrc.org/webmaster.gva@gwn.icrc.org
Web Page: http://www.icrc.org/

The International Committee of the Red Cross (ICRC), founded in 1863, works to protect the lives and dignity of victims of war and internal violence, and to provide them with assistance. It directs and coordinates the international relief activities in situations of conflict. ICRC also endeavors to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles.

Name: International Council on Human Rights Policy
Acronyms: ICHRP
Languages: English; French
Address: 48, chemin du Grand-Montfleury
1290 Versoix, Switzerland
Telephone Number: (41–22) 775–3300
Fax Number: (41–22) 775–3303
Email: ichrp@international-council.org

The International Council on Human Rights Policy (ICHRP), founded in 1998, conducts applied research into current human rights issues. Its research is designed to be of practical relevance to policy-makers and practitioners in international and regional organizations, in governments and intergovernmental agencies, and in NGOs of all kinds.

Name: International Freedom of Expression Exchange
Other Name: Échange international de la liberté d'expression; Intercambio Internacional por la Libertad de Expresion
Acronyms: IFEX
Languages: English; French; Spanish
Address: IFEX
489 College St., Suite 403
Toronto, Ontario M6G 1A5, Canada
Telephone Number: (1–416) 515–9622

Fax Number: (1–416) 515–7879
Email: ifex@ifex.org
Web Page: http://www.ifex.org

The International Freedom of Expression exchange (IFEX), founded in 1992, works to link freedom of expression groups around the world, largely through the Internet. One of the central components of IFEX is the Action Alert Network (AAN), which reports free expression abuses in geographic regions or area of expertise to IFEX for circulation to other members and interested organizations all over the world. IFEX also supports and strengthens fledgling freedom of expression around the world.

Name: International Gay and Lesbian Human Rights Commission
Other Name: Comision Internacional Por Los Derechos Humanos de Gays y Lesbianas; Internationale Kommission fur Schwule & Lesbische Menschenrechte
Acronyms: IGLHRC
Languages: English; Spanish; French; Vietnamese; Portuguese; Russian; German
Address: 1360 Mission St., Suite 200
San Francisco, CA 94103, USA
Telephone Number: (1–415) 255–8680
Fax Number: (1–415) 255–8662
Email: iglhrc@iglhrc.org
Web Page: http://www.iglhrc.org

The International Gay and Lesbian Human Rights Commission (IGLHRC), founded in 1990, works to protect and advance human rights of all people and communities subject to discrimination or abuse on the basis of sexual orientation, gender identity, or HIV status. IGLHRC responds to such human rights violations around the world through training and workshops, particularly for activists from the developing world and by providing legal documentation, referrals, and other types of support services to those fleeing persecution on the basis of sexual orientation, gender identity, or HIV sero-status. It also works to make governments and other human rights organizations more aware of the rights of their lesbian and gay citizens. IGLHRC also serves as an information clearinghouse on grassroots gay and lesbian and AIDS groups worldwide.

Name: International Helsinki Federation for Human Rights
Other Name: Fédération internationale Helsinki pour les droits de l'homme
Acronyms: IHF
Language: English
Address: Rummelhardtgasse 2/18
A-1090 Vienna, Austria
Telephone Number: (43–1) 408–8822
Fax Number: (43–1) 408–8822–50
Email: office@ihf-hr.org, helsinki@ping.at
Web Page: http://www.ihf-hr.org/

The International Helsinki Federation for Human Rights (IHF), founded in 1982, seeks to promote compliance of the states participating in the Organization for Security and Cooperation in Europe with the human rights provisions to which they committed themselves in the Helsinki Final Act and its follow-up documents, as well as with relevant international law. The IHF provides a structure through which independent Helsinki committees support one another and strengthen the human rights movement by giving their efforts an international dimension. The IHF is involved in fact-finding missions, trial and election monitoring, briefings for international organizations and the media, and the production of reports based on the work of local civil organizations.

Name: International Indian Treaty Council
Other Name: Consejo Internacional de los Tratados Indios
Acronyms: IITC; CITI
Languages: English; Spanish
Address: Information Office
2390 Mission St., Ste. 301
San Francisco, CA 94110, USA
Telephone Number: (1–415) 641–4482
Fax Number: (1–415) 512–1507
Email: iitc@igc.apc.org
Web Page: http://www.treatycouncil.org/

The International Indian Treaty Council (IITC), founded in 1974, is an organization of Indigenous Peoples from North, Central, and South America and the Pacific working for the sovereignty and self-determination of Indigenous Peoples and the recognition and protection of Indigenous Rights, Traditional Cultures, and Sacred Lands. IITC supports grassroots indigenous struggles through information dissemination, networking, coalition building, technical assistance, organizing and facilitating the effective participation of traditional peoples in local, regional, national, and international fora, events, and gatherings. It also provides training and leadership development to representatives of Indigenous communities, including youth, and monitors human rights complaints filed on behalf of indigenous peoples facing violations of their freedom of religion, forced relocations, arbitrary detentions, and other crisis situations.

Name: International Institute for Democracy and Electoral Assistance
Acronyms: International IDEA
Language: English
Address: Strömsborg
103 34 Stockholm, Sweden
Telephone Number: (46–8) 698–3700
Fax Number: (46–8) 20–24–22
Email: info@idea.int
Web Page: http://www.int-idea.se

The International Institute for Democracy and Electoral As-

sistance (International IDEA), created in 1995, promotes and advances sustainable democracy, and improves and consolidates electoral processes worldwide. It provides a forum for discussions and action among individuals and organizations involved in democracy promotion. Global in ownership and scope, it is independent of national interests. It works to promote and advance sustainable democracy worldwide by broadening the understanding and promoting the implementation of the norms, rules, and guidelines that apply to multiparty pluralism and democratic processes. It also undertakes election monitoring and works to ensure that gender equity is observed in election rules and regulations as well as practices.

Name: International Institute for Human Rights, Environment and Development
Acronyms: INHURED International
Languages: English; Nepali
Address: P.O. Box 12684
Pulchowk
Lalitpur, Nepal
Telephone Number: (977–1) 520054; 520042
Fax Number: (977–1) 520042; 521180
Email: info@inhured.wlink.com.np

The International Institute for Human Rights, Environment and Development (INHURED International) was established in 1987. INHURED International has a regional focus and promotes human rights education, research, and effective representation before international forums, and peaceful environment and sustainable development. It works to establish and strengthen national and regional human rights instruments in the Asia-Pacific region, and addresses the human rights concerns of women, children, refugees, the disabled, "untouchables," and indigenous peoples. It exposes the adverse impacts of international financial institutions' policies on civil, political, economic, social, and cultural rights and the right to development. INHURED International's activities include electoral observation, training, and monitoring; organizing special internship and fellowship programs for international and Nepali students and scholars; and initiating and organizing regional and international conferences and public hearings.

Name: International League for Human Rights
Acronyms: ILHR
Language: English
Address: 432 Park Avenue South, Rm. 1103
New York, NY 10016, USA
Telephone Number: (1–212) 684–1221
Fax Number: (1–212) 684–1696
Email: info@ilhr.org
Web Page: http://ilhr.org

The International League for Human Rights (ILHR), founded in 1942, works to keep human rights at the forefront of international affairs and to give meaning and effect to the human rights values enshrined in international human rights treaties and conventions. ILHR defends individual human rights advocates who have risked their lives to promote the ideals of a just and civil society in their homelands. It also raises human rights issues and cases before the UN and other intergovernmental regional organizations in partnership with colleagues abroad, helping to amplify their voices and coordinate strategies for effective human rights protection.

Name: International Movement Against All Forms of Discrimination and Racism
Acronyms: IMADR
Language: English
Address: International Secretariat
3–5–11 Roppongi, Minato-Ku
Tokyo 106, Japan
Telephone Number: (81–3) 35–86–74–47
Fax Number: (81–3) 35–86–74–62
Email: imadris@imadr.org
Web Page: http://www.imadr.org

The International Movement Against All Forms of Discrimination and Racism (IMADR), founded in 1988, has a global network with regional committees devoted to eliminating all forms of discrimination around the world. It works to forge international solidarity among discriminated minorities and advance the international regime of human rights through networking and appeal campaigns, conferences, research, and publication, and international advocacy at the international, regional, and national levels.

Name: International Network for Girls
Acronyms: INfG
Language: English
Address: NGO Working Groups on Girls
UNICEF—3 UN Plaza, TA 24A
New York, NY 10017, USA
Telephone Number: (1–212) 824–6394
Fax Number: (1–212) 824–6482
Email: sfriedman@unicef.org
Web Page: http://www.girlsrights.org

The International Network for Girls (INfG), established in 1995 by the UN Working Group on Girls, works to bring together grassroots organizations from around the world who are working to promote and protect the rights of girls.

Name: International PEN
Other Name: Writers in Prison Committee
Acronyms: PEN
Address: 9/10 Charter House Buildings
Goswell Road
London, EC1M 7AT, UK
Telephone Number: (44–171) 253–4306

Fax Number: (44–171) 253–5711
Email: intpen@gn.apc.org

International PEN, founded in 1921, works to promote and maintain friendship and intellectual cooperation between men and women of letters in all countries in the interests of literature, freedom of expression, and international goodwill. PEN works to obtain the release of imprisoned writers and mobilize public opinion on issues of freedom of expression. The PEN Writers in Prison Committee was set up in 1960, with the aim of obtaining the release of imprisoned writers.

Name: International Women's Rights Action Watch
Acronyms: IWRAW
Languages: English; French; Spanish; Polish
Address: c/o Hubert Humphrey Institute of Public Affairs
University of Minnesota
301–19th Ave. South
Minneapolis, MN 55455, USA
Telephone Number: (1–612) 625–5093
Fax Number: (1–612) 624–0068
Email: iwraw@hhh.umn.edu
Web Page: http://www.igc.org/iwraw/

The International Women's Rights Action Watch (IWRAW), organized in 1985, monitors the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW Convention). IWRAW is an international network that focuses on the advancement of women's human rights. It is served by a resource and communications center based at the University of Minnesota's Humphrey Institute of Public Affairs. It provides technical assistance and research support for women's human rights projects such as law reform, policy advocacy, and monitoring government performance under international human rights treaties, and establishes connections with others who share the concern of implementing women's human rights. IWRAW also concentrates on supporting NGOs, especially in developing countries, in their efforts to change law, culture, and society so that women can fully participate in their countries' development.

Name: International Women's Rights Action Watch—Asia Pacific
Acronyms: IWRAW
Language: English
Address: 2nd Floor
Blk F, Anjung Felda, Jl. Maktab
5400 Kuala Lumpur, Malaysia
Telephone Number: (60–3) 291–3292
Fax Number: (60–3) 292–4203
Email: iwraw@po.jaring.my
Web Page: http://www.womenasia.com/iwraw/index.htm

The International Women's Rights Action Watch—Asia Pacific (IWRAW–Asia Pacific), was formed in 1993, to monitor the Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW Convention) implementation and provide training and public education on using the Convention effectively in policy-making in the Asia Pacific region. IWRAW-Asia Pacific is part of the international (IWRAW) network of activists, scholars, and organizations that focuses on the advancement of women's human rights that is based in the United States.

Name: International Women's Tribune Centre
Acronyms: IWTC
Languages: English; French; Spanish
Address: 777 United Nations Plaza
New York, NY 10017, USA
Telephone Number: (1–212) 687–8633
Fax Number: (1–212) 661–2704
Email: iwtc@igc.apc.org
Web Page: http://www.womenink.org/iwtc.hmtl

The International Women's Tribune Centre (IWTC), founded in 1976, works by responding to requests from women in the Third World for information and technical assistance related to women and development activities. IWTC promotes increased participation of women in shaping and redefining a development process that is participatory, holistic, and inclusive. The four sector areas it concentrates on are information, communication, and networking; science, technology, and environment; community economic development; and organizing women (including women's human rights).

Name: Internationale Gesellschaft fur Menschenrechte
Other Name: International Society for Human Rights; Societe internationale pour les droits de l'homme; Sociedad Internacional para los Derechos Humanos; Associazione Internazionale per i Diritti dell'Umo
Acronyms: IGFM; ISHR; SIDH; SEDH; AIDU
Languages: German; English; French; Spanish; Russian
Address: Borsigallee 16
D-60388
Frankfurt-am-Main, Germany
Telephone Number: (49–69) 420–1080
Fax Number: (49–69) 420–10829
Email: is@ishr.org
Web Page: http://www.ishr.org, http://www.igfm.de

The International Society for Human Rights (ISHR), founded in 1972, seeks to promote international understanding and tolerance in all areas of culture and society. ISHR was founded in order to support individuals who share this principle and, consequently, strive nonviolently for their rights. It does this through help with individual cases, creating public awareness through publications, and assisting with development projects and humanitarian aid.

Name: ISIS International-Manila
Acronyms: ISIS
Address: P.O. Box 1837
Quezon City Main
Quezon City 1100, Philippines
Telephone Number: (63–2) 435–3405; 435–3408; 436–0312; 436–7863
Fax Number: (632) 924–1065
Email: isis@isiswomen.org
Web Page: http://www.isiswomen.org

ISIS International, founded in 1974, is dedicated to women's information and communication needs. ISIS works to document ideas and visions and create channels of communication. It collects and shares information. Through networking and building links, it focuses on advancing women's rights, leadership, and empowerment in Asia and the Pacific. With connections in over 150 countries, it also monitors changing trends and analyses concerning women worldwide.

Name: Isis: Women's International Cross-Cultural Exchange
Acronyms: ISIS-WICCE
Language: English
Address: P.O. Box 4934
Kampala, Uganda
Telephone Number: (256–41) 543–953
Fax Number: (256–41) 543–954
Email: isis@starcom.co.ug
Web Page: http://www.isis.or.ug

Isis-Women's International Cross Culture Exchange (ISIS-WICCE) is an action oriented women's resource center, started in 1974 in Switzerland and relocated to Uganda in 1993 to better gather information concerning African women and make it more accessible and available to women worldwide. ISIS-WICCE works to communicate ideas, create solidarity networks, and share information to overcome gender-related inequalities. ISIS-WICCE is committed to the empowerment of women in order to promote equality, development, and peace through providing opportunities to women globally to share experiences and access to information, and to network with one another.

Name: Kenya Human Rights Commission
Acronyms: KHRC
Language: English
Address: P.O. Box 41079
Nairobi, Kenya
Telephone Number: (254–2) 574–998; 574–999; 576–066
Fax Number: (254–2) 574–997
Email: khrc@AfricaOnline.Co.Ke
Web Page: http://www.hri.ca/partners/khrc/

The Kenya Human Rights Commission (KHRC), established in 1992, operates in Kenya as an advocacy and monitoring organization. It is based in both the USA and Kenya as an attempt to link Kenya fully in the international struggle for human rights. KHRC seeks to incorporate human rights ideals into institutions of governance. KHRC monitors the human rights situation in Kenya and the Kenyan government's observance of human rights. It promotes public awareness through dissemination of information, undertakes human rights litigation, and analyzes current and proposed legislation to ensure that human rights concerns are not undermined. KHRC also conducts research and organizes seminars and conferences, as well as maintaining a human rights library and resource center. It works as part of a legal/human rights NGO network.

Name: Korea Human Rights Network
Acronyms: KOHRNET
Language: Korean
Address: 592–7 Changshin 2–dong
Jongro-gu
Seoul 110–542, Korea
Telephone Number: (82–2) 763–2606
Fax Number: (82–2) 745–5604
Email: minbyun@jinbo.net; gyusum@chollian.net

The Korea Human Rights Network (KOHRNET), founded in 1994, is composed of nine local human rights organizations in South Korea. KOHRNET is committed to the realization of true democracy and human rights. Its objectives are to: coordinate and consult on current human rights issues, collect and distribute information on human rights, promote human rights education, and participate in international solidarity human rights work. KOHRNET provides NGOs in Korea with consultation services and advice in human rights matters, disseminates human rights information, engages in human rights educational work, and creates international linkages.

Name: Law and Society Trust
Acronyms: LST
Address: No. 3 Kynsey Terrace
Colombo 8, Sri Lanka
Telephone Number: (94–1) 691–228; 684–845
Fax Number: (94–1) 686–843

The Law Society and Trust (LST), established in 1982, studies law and social change, particularly in the field of legal processes and institutions. LST researches, advocates, documents through fact-finding, media programs, and lectures as well as trains paralegals.

Name: Lawyers Committee for Human Rights
Acronyms: LCHR
Language: English
Address: Lawyers Committee for Human Rights
333 Seventh Ave., 13th Floor
New York, NY 10001–5004, USA

Telephone Number: (1–212) 845–5200
Fax Number: (1–212) 845–5299
Email: lchrbin@lchr.org
Web Page: http://www.lchr.org

The Lawyers Committee for Human Rights (LCHR), founded in 1978, works to protect and promote fundamental human rights by building the legal institutions and structures that will guarantee human rights in the long term. LCHR supports independent human rights advocacy at the local level and seeks to influence the U.S. government to promote the rule of law in both its foreign and domestic policy, and presses for greater integration of human rights into the work of the UN and the World Bank. LCHR also works to protect refugees through the representation of asylum seekers and by challenging legal restrictions on the rights of refugees in the United States and around the world.

Name: Lawyers for Human Rights
Acronyms: LHR
Language: English
Address: Kutlwanong Democracy Centre
357 Visagie Street
cnr Visagie and Prinsloo Streets
Pretoria 0002, South Africa
Telephone Number: (27–12) 320–2943/5, 622–5550
Fax Number: (27–12) 320–2949
Email: lhrpta@wn.apc.org
Web Page: http://www.lhr.org.za

Lawyers for Human Rights (LHR), established in 1979, works to ensure the creation of an independent and impartial judiciary in South Africa. It also monitors and prevents human rights violations in South Africa, eradicates all forms of discrimination, and promotes participatory democracy. LHR offers legal services to victims of human rights abuse. National projects include law reform, paralegal training, human rights education, disability rights, housing rights, and women's rights.

Name: Legal Assistance Centre
Acronyms: LAC
Language: English
Address: P.O. Box 604
Windhoek 9000, Namibia
Telephone Number: (264–61) 22–33–56
Fax Number: (264–61) 23–49–53
Email: legal@iafrica.com.na

The Legal Assistance Centre (LAC), a public interest law firm, commenced operations in 1988, simultaneously with the opening of the Human Rights Documentation Centre (HRDC) a paralegal advice office in Northern Namibia. The LAC and HRDC provide services to persons who would otherwise have to travel hundreds of miles in order to obtain legal assistance. LAC and its affiliated advice offices take on cases in the public interest in which the outcome may have an impact on the rights of a group of people, rather than cases that merely benefit an individual. It runs a legal education project that educates communities about their rights in terms of the constitution and about various areas of law that affect them on a day-to-day basis. It is also involved in constitutional test cases, focusing on such areas as the equality clause in the constitution together with the affirmative action clause and the declared Principles of State Policy, which may be invoked in asserting the rights of women and redressing present imbalances. LAC provides litigation and advice and works to make the Labor Act accessible to the public. LAC is also engaged in police education and training, and on questions concerning the status of refugees, victims of HIV/AIDS, and reform of criminal law and justice.

Name: Legal Resources Centre
Acronyms: LRC
Language: English
Address: LRC
P.O. Box 157
WITS 2050, South Africa
Telephone Number: (27–11) 403–7694
Fax Number: (27–11) 403–1058
Email: bongani@lrc.org.za

The Legal Resources Centre (LRC), a public interest law firm/NGO, was established in 1979. It concentrates on test case litigation, social and economic rights, and above all, land rights. The LRC runs a fellowship program for the training of candidate attorneys that aims to increase access to the legal profession by disadvantaged groups, as well as increasing the experience and commitment of the legal profession to public interest law.

Name: Legal Resources Foundation
Acronyms: LRF
Address: P.O. Box 918
Harare, Zimbabwe
Telephone Number: (263–4) 728–212
Fax Number: (263–4) 728–213
Email: lrfhre@mail.pci.co.2w

The Legal Resources Foundation (LRF), founded in 1984, provides legal assistance to indigent victims and promotes human rights. It conducts a number of comprehensive training programs, particularly for human rights workers from around Africa and provides personnel to carry out in-country training programs for other groups. The LRF also conducts paralegal education and law enforcement programs. LRF publishes human rights materials, and contributes regularly to debates on legislation and other matters of a public interest nature. LRF has established branches in Bulawayo, Gweru, Masvingo, and Mutare.

Name: Lembaga Penelitian, Pendidikan dan Penerangan Ekonomi dan Sosial
Other Name: Institute for Economic and Social Research, Education and Information
Acronyms: LP3ES
Language: Bahasa Indonesia
Address: P.O. Box 493 JKT
Jakarta 100002, Indonesia
Telephone Number: (62–21) 597–211

The Institute for Economic and Social Research, Education and Information (LP3ES), established in 1971, encourages development policies that emphasize equitable development and widen the institutional base for participation. LP3ES promotes the advancement of economic and social sciences to foster the sociocultural development and human rights of the Indonesian people through research, education, and information activities. It works to improve the public's knowledge and understanding about Indonesian development problems and promote international cooperation with national and international organizations that have similar objectives. The Institute conducts research on social problems related to the development of human resources in regional, rural, and small urban centers, and in marginal settlement areas. LP3ES also publishes research and project reports, monographs, training guidebooks, and other materials on sociocultural issues; holds seminars and workshops for research workers, policy-makers, action groups, and community leaders. The documentation, library, and information services produce select bibliographies and documentation in such fields as small-scale industry, rural technology, and community development work.

Name: Liga Española Pro-Derechos Humanos
Other Name: Spanish League for Human Rights
Acronyms: LEPDDHH
Language: Spanish
Address: C/Hermosilla 114 Sótano A
28009 Madrid, Spain
Telephone Number: (34–91) 401–9695
Fax Number: (34–91) 401–9695
Email: lepddhh@lander.es
Web Page: http://www.lander.es/~lepddhh/index.html

The Spanish League for Human Rights (LEPDDHH), founded in 1913, works to defend and monitor human rights and fundamental freedoms in Spain and Latin America. It participates in congresses and conferences, and publishes information on abuses.

Name: Ligue internationale contre le racisme et l'antisémitisme
Other Name: International League Against Racism and Antisemitism
Acronyms: LICRA
Languages: French; Spanish; English
Address: 42, rue du Louvre
F-15001 Paris, France
Telephone Number: (33–1) 45–08–08–08
Fax Number: (33–1) 45–08–18–18
Email: licra@club-internet.com
Web Page: http://www.licra.com

The International League Against Racism and Antisemitism (LICRA), founded in 1927, works to oppose racism and anti-Semitism, and defends the rights of victims to peace and existence around the world.

Name: Ligue mauritanienne des droits de l'homme
Other Name: Mauritanian League for Human Rights
Acronyms: LMDH
Address: Avenue Gamal Abdel Nasser
B.P. 20023
Nouakchott, Mauritania
Telephone Number: (22–22) 576–24
Fax Number: (22–22) 517–11

The Mauritanian League for Human Rights (LMDH), established in 1986, works to promote respect for human rights by sensitizing public opinion on the human rights situation, denouncing rights abuse, and working with the press.

Name: Ludwig Boltzmann Institut fur Menschenrechte
Other Name: Ludwig Boltzmann Institute of Human Rights
Acronyms: BIM
Languages: German; English
Address: Hessgasse 1
A-1010 Vienna, Austria
Telephone Number: (43–1) 42–77; 27–420
Fax Number: (43–1) 42–77; 27–429
Email: bim.staatsrecht@univie.ac.at
Web Page: http://www.univie.ac.at/bim

The Ludwig Boltzmann Institute of Human Rights (BIM) was founded in 1992 in Vienna as a center for documentation, research, and information services on human rights. BIM maintains databases on the legal systems and de facto human rights situations in all countries of the world. In addition, it conducts programming in a number of areas including actions against torture, war crimes, and deportation issues. It also conducts peacekeeping and peace-building training programs and university courses on human rights.

Name: Médecins sans frontières—International
Other Name: Doctors Without Borders—International
Acronyms: MSF
Languages: French; English
Address: 39, rue de la Tourelle
B-1040 Brussels, Belgium

Telephone Number: (32–2) 280–1881
Fax Number: (32–2) 280–0173
Email: office-intnl@brussels.msf.org
Web Page: http://www.msf.org

Doctors Without Borders—International (MSF), founded in 1971, provides emergency medical assistance to populations in danger. Part of MSF's work is to address any violations of basic human rights encountered by field teams, violations perpetrated or sustained by political actors. It does so by confronting the responsible actors themselves, by putting pressure on them through mobilization of the international community, and by issuing information publicly.

Name: Memorial Human Rights Center
Other Name: Memorial Society for Public Historical Enlightenment, Human Rights and Charity
Language: Russian
Address: P.O. Box 552
Moscow 125057, Russia
Telephone Number: (7–095) 200–6506; 209–7883
Fax Number: (7–095) 209–5779
Email: memhrcenter@gas.apc.org

The Memorial Human Rights Center (Memorial) began in 1987. Memorial has a broad humanitarian program. It works to overcome the effects of totalitarianism in Soviet consciousness; promote democratic, humanitarian views and traditions; and defend human rights. Memorial monitors and reports on human rights violations in Russia and throughout the former Soviet Union. It sends missions to "hot points" of interethnic conflict to observe and disseminate information about human rights violations. It participates in negotiation processes when invited to do so by parties to the conflict, and conducts other forms of third-party mediation. Memorial also does human rights education, provides assistance to political prisoners, and works in the rehabilitation of torture victims.

Name: Minnesota Advocates for Human Rights
Acronyms: MAHR
Language: English
Address: 310 Fourth Ave. South
Suite 1000
Minneapolis, MN, 55415–1012, USA
Telephone Number: (1–612) 341–3302
Fax Number: (1–612) 341–2971
Email: mnadvocates@igc.apc.org
Web Page: http://www.mnadvocates.org

Minnesota Advocates for Human Rights (MAHR), founded in 1983, is dedicated to the promotion and protection of internationally recognized human rights. MAHR is committed to enabling individuals and communities to realize their fundamental human rights and responsibilities through programs and projects that integrate human rights fact finding, advocacy, and education. It works locally, nationally, and internationally on human rights issues impacting children, women, refugees and immigrants, and marginalized populations. MHRA documents human rights abuses, advocates on behalf of individual victims, educates on human rights issues, and provides training and technical assistance to address and prevent human rights violations.

Name: Minority Rights Group International
Acronyms: MRG
Language: English
Address: 379 Brixton Road
London SW9 7DE, UK
Telephone Number: (44–020) 7978–9498
Fax Number: (44–171) 738–6265
Email: minority.rights@mrgmail.org
Web Page: http://www.minorityrights.org

Minority Rights Group International (MRG), founded in 1965, works in four main areas to promote and further minority rights worldwide. It researches and publicizes information about minorities around the world; advocates for the rights of minorities at the United Nations (UN) and governments; educates children and teachers on minority issues to counter racism and prejudice; works with organizations and activists to build alliances, discusses ideas, and develops skills. MRG undertakes regional projects that promote the rights of ethnic, religious, and linguistic minority groups and foster intercommunity cooperation.

Name: Movimento de Justica e Direitos Humanos
Other Name: Movimiento de Justicia y Derechos Humanos; Movement for Justice and Human Rights
Acronyms: MJDH
Languages: Portugese; Spanish; English
Address: Rua Andrade Neves
159/conjunto 102, Porto Alegre
RS, 90010–210, Brasil
Telephone Number: (55–51) 221–9130
Fax Number: (55–51) 221–9130
Email: mjdh@hotmail.com
Web Page: http://www.direitoshumanos.org.br/

Movement for Justice and Human Rights (MJDH), founded in 1979, works to promote and protect fundamental human rights of Latin Americans. It works for community justice and returning disappeared children in the region. It also works to educate and protect journalists and academics on human rights issues.

Name: Movimento Nacional de Defesa dos Direitos Humanos
Other Name: Movimiento Nacional de Defensa de los Derechos Humanos; National Movement for the Defense of Human Rights
Acronyms: MNDDH

Languages: Portugese; Spanish; English
Address: SCS Ed. Oscar Niemeyer
Quadra 02, Bloco D
7031690 Brasilia D.F., Brasil
Telephone Number: (55–61) 225–3337
Fax Number: (55–61) 225–7157

The National Movement for Human Rights (MNDDH), founded in 1982, supports agrarian and urban reform, combats police violence, and reports on human rights developments. MNDDH works for cultural, economic, and social rights of the exploited majority and devastated minority of the Brazilian population by organizing and informing people to increase their awareness of the oppressed situation in which the majority of the population finds itself. It also works for the protection of human rights, including also the punishment of those responsible for human rights violations, and reparation payments to victims and to overcome institutional, partisan, and religious interests and all forms of discrimination. MNDDH has projects in the rural, indigenous, and urban areas, and deals with issues related to housing, transportation, health, education, communication, racism, and ecology. It also encourages political participation and human rights education.

Name: National Coalition for Haitian Rights
Acronyms: NCHR
Address: 275 7th Ave., 25th floor
New York, NY 10001–6708, USA
Telephone Number: (1–212) 337–0005
Fax Number: (1–212) 337–0028
Email: insight@nchr.org
Web Page: www.nchr.org

The National Coalition for Haitian Rights (NCHR), founded in 1982, works to promote and protect the rights of Haitian refugees and Haitian Americans under U.S. and international law. NCHR also works to advance respect for human rights, rule of law, and the development of civil and democratic society in Haiti.

Name: National Council for Civil Liberties
Other Name: Liberty
Acronyms: NCCL
Language: English
Address: 21 Tabard St.
London SE1 4LA, UK
Telephone Number: (44–171) 403–3888
Fax Number: (44–171) 407–5354
Email: Email: liberty@apc.org.uk
Web Page: http://www.liberty-human-rights.org.uk

The National Council for Civil Liberties (NCCL), founded in 1934, works to defend and extend the civil and political rights of people in Britain. ACCL provides advice and information on rights issues, analyzes implications of proposed changes to legislation. It also researches a wide range of rights issues, including the need for privacy laws, civil liberties issues in Europe, misuse of the criminal records system, the operation of the Prevention of Terrorism Act, the variations in sentencing in different courts, and proposals for a national identity card system.

Name: Network of East-West Women
Acronyms: NEWW
Language: English
Address: 1601 Connecticut Ave. NW
Suite 701
Washington, DC 20009, USA
Telephone Number: (1–202) 265–3585
Fax Number: (1–202) 265–3508
Email: eastwest@neww.org
Web Page: http://www.neww.org

The Network of East-West Women (NEWW), founded in 1990, links over 2,000 women's advocates in more than 40 countries who work in partnership to promote tolerance, democracy, nonviolence, health, and respect for institutions of a civil society. NEWW works to empower women and girls throughout the East (Central and Eastern Europe, the NIS, and the Russian Federation) and the West by dialogue, networking, campaigns, and educational and informational exchanges. NEWW supports action and joint projects inspired by feminist principles. It also coordinates ad hoc committees, training workshops, consultations, conferences, and informational exchanges.

Name: Observatoire international des prisons
Other Name: International Prison Watch; Observatorio Internacional de Prisiones
Acronyms: OIP
Languages: French; English; Spanish
Address: 16, avenue Berthelot
B.P. 7083
69301 Lyon cedex 07, France
Telephone Number: (33–4) 72–71–83–83
Fax Number: (33–4) 78–58–72–11
Email: 100536,153@compuserve.com
Web Page: http://www.oip.org

International Prison Watch (OIP), founded in 1990, keeps watch throughout the world on the custodial conditions of prisoners, and draws attention to any human rights violations. OIP publishes a yearly report reviewing conditions in prisons and treatment of prisoners worldwide. It also provides training to human rights advocates who want to undertake missions to prisons.

Name: L'Observatoire pour la protection des défenseurs des droits de l'homme
Other Name: The Observatory for the Protection of Human Rights Defenders; El Observatorio para la Proteccion de los Defensores de Derechos Humanos

Languages: English; French; Spanish
Address: c/o FIDH, 17
Passages de droits de l'homme
75011 Paris, France
c/o OMCT, CP 119
37–39 rue de Vermont
CH 1211 Geneve, 20 CIC, Switzerland
Telephone Number: (33–1) 48–05–82–46;
(41–22) 733–3140
Fax Number: (33–1) 40–39–22–42
Email: observatoire@iprolink.ch
Web Page: http://www.fidh.imaginet.fr, http://www.omct.org

The Observatory for the Protection of Human Rights Defenders, established as a joint project of OMCT and FIDH in 1997, responds to the grave violations and contributes to the protection of human rights defenders at the national and international levels. It works to alert the international community by sending out urgent appeals; assembles all the information concerning the situation of these activists (an emergency hot line is at their disposal 24 hours a day); organizes inquiry missions in countries where the activities of human rights activists are increasingly threatened, and any other activity relating to the protection of human rights defenders.

Name: Organisation mondiale contre la torture
Other Name: Organizacion Mundial Contra la Tortura; World Organization Against Torture; Weltorganisation Gegen die Folter
Acronyms: OMCT
Languages: French; English; Spanish
Address: C.P. 21, 8, rue du Vieux-Billard
CH-1211
Geneva 8, Switzerland
Telephone Number: (41–22) 809–49–39
Fax Number: (41–22) 809–49–29
Email: omct@omct.org
Web Page: http://www.omct.org

The World Organization Against Torture (OMCT), founded in 1986, is a network of national organizations that fight to bring an end to torture and other serious human rights violations. Fighting for the rights of victims, OMCT provides its members with tools and services they need to carry out their work: to seek to prevent torture, confront torturers, bring them to justice, and provide rehabilitation to victims.

Name: Orville H. Schell, Jr. Center for International Human Rights
Language: English
Address: Yale Law School
P.O. Box 208215
New Haven, CT 06520–8215, USA
Telephone Number: (1–203) 432–7480
Fax Number: (1–203) 432–1040
Email: james.silk@yale.edu
Web Page: http://humanrights.law.yale.edu/

The Orville H. Schell, Jr. Center for International Human Rights, established at Yale Law School in 1989, is an interdisciplinary research organization that seeks to provide a broad conceptual framework for the day-to-day concerns of human rights advocates for both practitioners in the area of international human rights and scholars studying international human rights. The Center aims to integrate scholarship in a range of disciplines with the insights of human rights advocates from around the world to develop a comprehensive, realistic understanding of international human rights problems. The Schell Center's program has three components: scholarship, curriculum, and outreach. The Center encourages education related to international human rights at the undergraduate, graduate, and professional levels. It has a database of human rights documents.

Name: Peace Brigades International
Other Name: Brigades de paix internationale; Brigades Internacionales de Paz
Acronyms: PBI; BPI; BIP
Language: English, French; Spanish
Address: 5 Caledonia Road
London N1 9DX, UK
Telephone Number: (44–171) 713–0392
Fax Number: (44–171) 837–2290
Email: pbiio@gn.apc.org
Web Page: http://www.igc.apc.org/pbi

Peace Brigades International (PBI), founded in 1981, works to research and implement nonviolent approaches to peacekeeping and human rights support. PBI provides protective international accompaniment for individuals and organizations who have been threatened by political violence or who are otherwise at risk. This enables local activists to work for social justice and human rights. In addition to protective accompaniment, PBI also trains people in nonviolence, conflict resolution, and human rights; fosters social and political reconciliation; documents conflicts and initiatives for peace and distributes this information worldwide.

Name: Penal Reform International
Other Name: National Association for the Care and Resettlement of Offenders
Acronyms: PRI
Languages: English; French
Address: Unit 114, The Chandlery
50 Westminster Bridge Road
London, SE1 7QY, UK
Telephone Number: (44–171) 721–7678
Fax Number: (44–171) 721–8785

Email: headofsecretariat@pri.org.uk
Web Page: http:/www.penalreform.org

Penal Reform International (PRI), founded in 1989, works on problems in penal systems. PRI strengthens the efforts of penal reformers by working together across national boundaries and having a presence in international forums. PRI promotes humane treatment of offenders according to international instruments and the elimination of racial, class, and ethnic discrimination in penal measures. It tries to reduce the use of prison throughout the world, and to replace prison whenever possible by constructive alternatives that are meaningful to victims and to abolish the death penalty.

Name: Parliamentary Human Rights Group
Acronyms: PHRG
Language: English
Address: House of Commons
London SW1P OPW, UK
Telephone Number: (44–171) 219–6609; 274–4617
Fax Number: (44–171) 219–5943; 219–5943
Email: 104125.1657@compuserve.com

The Parliamentary Human Rights Group (PHRG) was founded in 1976 as an independent forum in the British Parliament concerned with the defense of international human rights. Members of the group represent all political parties, making it broadly representative. The objectives of PHRC are to increase awareness of human rights in Parliament as well as throughout the UK and abroad; communicate the group's concerns about human rights violations to governments, their representatives in the UK and visiting delegations; and to work for the implementation by all governments of the Universal Declaration of Human Rights, and of the UN covenants on civil, political, economic, social, and cultural rights.

Name: People's Decade of Human Rights Education
Acronyms: PDHRE-International
Language: English
Address: 526 West 111th St.
Suite 4E
New York, NY 10025, USA
Telephone Number: (1–212) 749–3156
Fax Number: (1–212) 666–6325
Email: pdhre@igc.apc.org
Web Page: http://www.pdhre.org/

People's Decade of Human Rights Education (PDHRE-International) was founded in 1988 to develop and advance pedagogies for human rights education relevant to people's daily lives in the context of their struggles for social and economic justice and democracy. PDHRE-International is dedicated to publishing and disseminating demand-driven human rights training manuals and teaching materials, and otherwise servicing grassroots and community groups engaged in a creative, contextualized process of human rights learning, reflection, and action. PDHRE-International views human rights as a value system capable of strengthening democratic communities and nations through its emphasis on accountability, reciprocity, and people's equal and informed participation in the decisions that affect their lives. PDHRE-International works directly and indirectly with its network, primarily women's and social justice organizations.

Name: People's Union for Civil Liberties
Acronyms: PUCL
Address: 81, Sahayoga Apartments
Mayur Vihar I, Delhi 110 091, India
Telephone Number: (91–11) 225–0014
Fax Number: (91–11) 225–6931; 249–2342
Email: puclnat@yahoo.com
Web Page: http://www.pucl.org

The People's Union for Civil Liberties (PUCL), formed in October 1976, has branches throughout India and is dedicated to promoting civil liberties and the democratic way of life by peaceful means. PUCL monitors and reports on human rights violations throughout the country. It also constantly reviews penal laws and criminal procedures with a view to bringing them into harmony with humane and liberal principles, works for the withdrawal and repeal of all repressive laws, encourages freedom of thought and defense of the right of public dissent. PUCL works to ensure freedom of press and makes legal aid available to the poor, especially for the defense of civil liberties. It opposes discrimination on the ground of religion, race, caste, sex, or place of birth, and combats social evils that encroach on civil liberties, such as untouchability, and defends in particular the civil liberties of the society and of women and children.

Name: Philippine Alliance for Human Rights Advocates
Acronyms: PAHRA
Language: English
Address: Room 403, FMSG Building
9 Balete Drive corner Third Street
New Manila
Quezon City 1112, Philippines
Telephone Number: (63–2) 271–7814
Fax Number: (63–2) 721–7814
Email: pahra@info.com.ph

The Philippine Alliance for Human Rights Advocates (PAHRA) brings together over 100 justice and peace groups, local human rights organizations, lawyers groups, families and victims of human rights violations, and documentation centers. Organized in 1986, it coordinates efforts to promote human rights in the country. PAHRA conducts campaigns for justice and indemnification for all victims of human rights violations, works for the

institutionalization of human rights and democracy, and peace. It also educates people about their rights and their role in promoting human rights, and facilitates welfare and rehabilitation programs for victims of human rights violations.

Name: Physicians for Human Rights—USA
Acronyms: PHR
Languages: English, with capabilities in French; Spanish; Russian
Address: 100 Boylston St.
Suite 702
Boston, MA 02116, USA
Telephone Number: (1–617) 695–0041
Fax Number: (1–617) 695–0307
Email: phrusa@igc.apc.org
Web Page: www.phrusa.org

Physicians for Human Rights (PHR), founded in 1986, uses the knowledge and skills of the medical and forensic sciences to investigate and prevent violations of international human rights and humanitarian law. It works to stop torture, disappearances, and political killings by governments and opposition groups, as well as to improve health and sanitary conditions in prisons and detention centers. It also investigates the physical and psychological consequences of violations of humanitarian law in internal and international conflicts, and defends medical neutrality and the right of civilians and combatants to receive medical care during times of war. PHR works to protect health professionals who are victims of violations of human rights and to prevent medical complicity in torture and other abuses. PHR also conducts educational and training projects for health professionals, members of the judiciary, and human rights advocates on the application of medical and forensic skills in the investigation of violations of human rights.

Name: Privacy International
Acronyms: PI
Language: English
Address: c/o Simon Davies
Computer Security Research Centre
London School of Economics
Houghton St.
London WC2A 2AE, UK
Telephone Number: (44–81) 402–0737
Fax Number: (44–81) 313–3726
Email: pi@privacy.org davies@privacy.org
Web Page: http://www.privacy.org/pi

Privacy International (PI), founded in 1990, acts as a watchdog on surveillance by governments and corporations. PI conducts campaigns in Europe, Asia, and North America to counter abuses of privacy by way of information technology such as telephone tapping, ID card systems, video surveillance, data matching, police information systems, and medical records.

Name: Programa Radio Internacional Feminista
Other Name: Feminist International Radio Endeavor
Acronyms: RAIF; FIRE
Languages: Spanish; English
Address: P.O. Box 239–6100
San Jose, Costa Rica
Telephone Number: (506) 249–1993
Fax Number: (506) 249–1993
Email: fuegocr@sol.racsa.co.cr
Web Page: www.fire.or.cr

The Feminist International Radio Endeavor (FIRE), founded in 1991, is a communications venue on shortwave where women's voices, in all their diversity, are heard by the international community, crossing barriers of nationality, culture, race, and geography. It is produced and transmitted by Radio for Peace International, a global community radio based at the University of Peace in Costa Rica.

Name: Rainforest Action Network
Acronyms: RAN
Language: English
Address: 221 Pine St.
Ste. 500
San Francisco, CA 94104, USA
Telephone Number: (1–415) 398–4404
Fax Number: (1–415) 398–2732
Email: rainforest@ran.org
Web Page: http://www.ran.org

The Rainforest Action Network (RAN), founded in 1985, works to protect tropical rain forests and the human rights of those living in and around those forests. RAN works with environmental and human rights groups in 60 countries, sharing information and coordinating the U.S. sector's role in worldwide campaigns to protect the rain forests and their inhabitants. It focuses on education, communication, conferences, and direct action in the United States and promotes the efforts of indigenous and environmental groups in tropical countries to achieve ecologically sustainable solutions within their own regions.

Name: Raoul Wallenberg Institute of Human Rights and Humanitarian Law
Language: English
Address: P.O. Box 1155
S-221 05 Lund, Sweden
Telephone Number: (46–46) 222–1200 (Secretariat); 222–1230 (Library)
Fax Number: (46–46) 222–1222

The Raoul Wallenberg Institute of Human Rights and Humanitarian Law, founded in 1984, is an academic institution at the University of Lund, Sweden. It promotes research, training, and academic education in the fields of human rights and hu-

manitarian law. It has a research library and initiates, develops, and supports other activities in these fields.

Name: Redress: Seeking Reparation for Torture Survivors
Language: English
Address: 6 Queen Square
London WC1N 3AR, UK
Telephone Number: (44–20) 7278–9502
Fax Number: (44–20) 7278–9410
Email: redresstrust@gn.apc.org; redress@gn.apc.org
Web Page: http://www.redress.org

Redress: Seeking Reparation for Torture Survivors (Redress), founded in 1992, works to help torture survivors around the world use available legal remedies to obtain reparation and to campaign for effective remedies where they do not exist. It works for reparation (including compensation and rehabilitation) to help in healing and restoring the lives of those who have been tortured. It also works to combat the practice of torture and deter repressive regimes.

Name: Refugee Studies Centre
Acronyms: RSC
Language: English
Address: Queen Elizabeth House
21 St. Giles
Oxford OX1 3LA, UK
Telephone Number: (44–1865) 27–07–22
Fax Number: (44–1865) 27–07–21
Email: RSC@qeh.ox.ac.uk
Web Page: http://www.qeh.ox.ac.uk/rsp//http://www.rsl.ox.ac.uk/cgibin/rspnew.tcl

The Refugee Studies Centre (RSC) is part of the University of Oxford's International Development Centre. Founded in 1982, it carries out multidisciplinary research and teaching on the causes and consequences of forced migration; disseminates the results of that research to policy-makers and practitioners, as well as within the academic community; and tries to build understanding of the experience of forced migration from the point of view of the affected populations. The RSC regularly organizes and hosts conferences, workshops, and public lectures, in addition to holding its series of weekly public seminars. It maintains a documentation center dedicated to forced migration in the world.

Name: Rehabiliterings Center for Torturofre
Other Name: Rehabilitation and Research Centre for Torture Victims; International Rehabilitation Council for Torture Victims
Acronyms: RCT
Languages: Danish; English
Address: Borgergade 13
P.O. Box 2107
DK-1014 Copenhagen, Denmark
Telephone Number: (45) 33–76–06–00
Fax Number: (45) 33–76–05–10
Email: rct@rct.dk
Web Page: http://www.rct.dk

The Rehabilitation and Research Centre for Torture Victims (RCT), founded in 1982, runs a center for the rehabilitation of persons (and their families) who have been subjected to torture. It also instructs Danish and foreign health personnel in the examination and treatment of persons who have been subjected to torture, and engages in research on torture and on the nature and extent of its consequences for the purposes of treatment and eventual abolition. RCT also has an international documentation center for the purposes of disseminating facts about torture, studying the consequences of torture, and rehabilitating persons who have been subjected to torture.

Name: Rencontre africaine pour la défense des droits de l'homme
Other Name: African Meetingplace for the Defense of Human Rights
Acronyms: RADDHO
Language: French
Address: BP 15246
Dakar-Fann, Senegal
Telephone Number: (221) 824–6056
Fax Number: (221) 824–6052
Email: raddho@telecomplus.sn

The African Meetingplace for the Defense of Human Rights (RADDHO), formed in 1990, works to promote and protect human rights in all of Africa by making the rule of law, democratic tolerance, and conditions for freedom of expression recognized in each country. RADDHO works to encourage the struggle for total emancipation of Africa and dignity of African persons, and toward peace and solidarity. It denounces states that violate human rights through statements published in the press and organizes conferences, roundtables, and workshops, as well as conducts field investigations.

Name: Reporters sans frontières
Other Name: Reporters Without Borders
Acronyms: RSF
Languages: French; English
Address: 5, rue Geoffroy-Marie
75009 Paris, France
Telephone Number: (33–1) 44–83–84–84
Fax Number: (33–1) 45–23–11–51
Email: rsf@rsf.fr
Web Page: http://www.rsf.fr

Reporters sans frontières (RSF), established in 1985, works to defend press freedom and assists journalists who are threatened or imprisoned.

Name: Rights and Humanity
Language: English
Address: 2 St. Peters Street
Ipswich IP1 1XB, UK
Telephone Number: (44–1473) 286–365
Fax Number: (44–1473) 286–720
Email: rights.humanity@pop3–poptel.org.uk

Rights and Humanity, the International Movement for the Promotion and Realization of Human Rights and Responsibilities, was established in 1986 simultaneously in Africa and Europe. It was formed in response to the appalling loss of life and human suffering caused by poverty and deprivation, discrimination, and social rejection. The African and European members have joined forces to establish the International Association of Rights and Humanity with three National Associations (in Nigeria, the Sudan, and the UK). It is committed to education in the field of human rights and the principles of humanity, so that all individuals and organs of society might be more aware of their responsibilities, both to members of their own societies and toward the global family. It works toward the establishment of fair economic relations, as well as the development of international protection law and the recognition of an effective humanitarian ethic.

Name: Service International pour les droits de l'homme
Other Name: International Service for Human Rights; Servicio Internacional para los Derechos Humanos
Acronyms: ISHR
Languages: French; English
Address: Case Postale 16
1211 Geneva 20 CIC, Switzerland
Telephone Number: (41–22) 733–5123
Fax Number: (41–22) 733–0826

The International Service for Human Rights (ISHR), founded in 1984, is an international association serving human rights defenders by providing timely and accurate information, analysis, and relevant training, as well as legal, political, and practical advice and input on international human rights standards and procedures. ISHR also contributes to standard settings at the international level.

Name: Servicio Paz y Justicia en America Latina
Other Name: Service for Peace and Justice in Latin America
Acronyms: SERPAJ-AL
Languages: Spanish; Portuguese
Address: Carlos Ibarra 176 y 10 de Agosto
Oficina 805
Casilla Postal: 17–03–1567
Quito-Ecuador
Telephone Number: (593–2) 57–15–21
Fax Number: (593–2) 57–16–36
Email: serpaj@ecuanex.net.ec
Web Page: http://www.nonviolence.org/serpaj/

Service for Peace and Justice in Latin America (SERPAJ-AL), founded in 1968, inspired by Christianity, works to promote the values of solidarity and nonviolence, and toward building a society based on the full realization of the rights of people and communities in the process of Latin American liberation. It has regional offices in Bolivia, Brazil, Chile, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, Paraguay, and Uruguay.

Name: Servicio Paz y Justicia—Uruguay
Other Name: Service for Peace and Justice—Uruguay
Acronyms: SERPAJ-URUGUAY
Languages: Spanish; English
Address: Joaquin Requena 1642
C.P. 11 200 Montevideo, Uruguay
Telephone Number: (598–2) 408–5301; 408–5701; 408–4770
Fax Number: (598–2) 408–5701
Email: serpajuy@serpaj.org.uy, cedoc@serpaj.org.uy
Web Page: http://www.serpaj.org.uy

Service for Peace and Justice—Uruguay (SERPAJ-Uruguay), founded in 1968, was forced to stop work in 1980, and declared illegal in 1983. Since 1985, it has once again been able to work legally on issues of democracy and repression both in Uruguay and regionally, and produce documentation for use by the public, the courts, and/or parliament. SERPAJ-Uruguay trains teachers, supports victims of rights violations with legal, humanitarian, and social aid, and assists families of political prisoners and the disappeared. It also prepares reports for intergovernmental organizations, and works with other human rights groups in the country and region.

Name: Sisterhood Is Global Institute
Acronyms: SIGI
Language: English
Address: 1200 Atwater Avenue
Suite 2
Montreal
Quebec H3Z 1X4, Canada
Telephone Number: (1–514) 846–9366
Fax Number: (1–514) 846–9066
Email: sigi@qc.aibn.com
Web Page: http://www.sigi.org

Sisterhood Is Global Institute (SIGI), founded in 1984, is dedicated to the support and promotion of women's rights at the local, national, regional, and global levels. With members in 70 countries, SIGI works toward empowering women and developing leadership through human rights education of basic rights guaranteed to women under international human rights conventions, and to increase public awareness and concern about human rights abuses committed against women. It also facilitates the direct participation of women from the Global South in international debates concerning their rights. SIGI

also facilitates research and provides training models for women from the developing world in the areas of human rights education, communication, and leadership.

Name: SOS racisme internationale
Other Name: SOS Racism International
Acronyms: SOS
Language: French
Address: 64, rue Petites Ecuries
Paris 75010, France
Telephone Number: (33–1) 5324–6767

SOS Racism International (SOS) works to fight racism in France and around the world. SOS also works to promote awareness in France of racism in other countries.

Name: South Asian Forum for Human Rights
Address: 3–23 Shree Durbar Tole
Patan Dhoka
Lalitpur, Nepal
Telephone Number: (977–1) 541–026
Fax Number: (977–1) 527–852
Email: south@safhr.wlink.com.np

The South Asia Forum for Human Rights (SAFHR) works to promote observance of and respect for international human rights in the region. SAFHR circulates information on the human rights situation in the region; appeals to all major human rights organizations, in times of crisis, to alert travelers and the world of impending human rights flashpoints; and implements a periodic training program for human rights activists on international instruments. SAFHR acts as a focal point for discussion of transborder human rights issues. SAFHR's long-term goal is to establish a South Asian Charter for Human Rights, which would be comparable in structure and purpose to the Charter of the OAS and the European Convention.

Name: South Asia Human Rights Documentation Centre
Acronyms: SAHRDC
Language: English
Address: B-6/6, Safdarjang Enclave Extension
New Delhi 110029, India
Telephone Number: (91–11) 619–1120; 619–2717; 619–2706
Fax Number: (91–11) 619–1120
Email: hrdc_online@hotmail.com
Web Page: http://www.hri.ca/partners/sahrdc/index.htm

The South Asia Human Rights Documentation Centre (SAHRDC) seeks to investigate, document, and disseminate information about human rights treaties and conventions, human rights education, refugees, media freedom, prison reforms, political imprisonment, torture, summary executions, disappearances, and other cruel, inhuman, or degrading treatment. SAHRDC conducts a series of human rights training programs in the South Asian and East Asian region and offers placements as part of a formal internship program.

Name: Studie en Informatiecentrum Mensenrechten
Other Name: Netherlands Institute of Human Rights; Institut néerlandais des droits de l'homme; Instituto Holandes de Derechos Humanos
Acronyms: SIM
Languages: Dutch; English; French; Spanish
Address: Janskerkhof 3
3512 BK Utrecht, Netherlands
Telephone Number: (31–30) 253–8033
Fax Number: (31–30) 253–7168
Email: sim@law.uu.nl
Web Page: http://www.law.uu.nl/english/sim

The Netherlands Institute of Human Rights (SIM), founded in 1981, researches and distributes information, and generally works to stimulate interest, with regard to the promotion and protection of human rights, both at the national and the international level. It is particularly interested in the question of the universality of human rights. SIM's research also looks at the foreign policy of the Netherlands and other countries with regard to human rights.

Name: Survival International
Acronyms: SI
Address: 310 Edgware Road
London W2 1DY, United Kingdom
Telephone Number: (44–20) 72–42–1441
Fax Number: (44–20) 72–42–17–71
Email: info@survival-international.org
Web Page: http://www.survival-international.org

Survival International (SI), founded in 1969, supports tribal peoples' right to decide their own future and helps them protect their lives, lands, and human rights. SI works in close partnership with local indigenous organizations, conducts campaigns directed not only at governments, but at companies, banks, extremist missionaries, guerrilla armies, museums, and anyone else who violates tribal peoples' rights. It also provides educational material.

Name: Taskforce on the Churches and Corporate Responsibility
Acronyms: TCCR
Language: English
Address: 129 St. Clair Ave. West
Toronto, Ontario M4V 1N5, Canada
Telephone Number: (1–416) 923–1758
Fax Number: (1–416) 927–7554
Email: tccr@web.apc.org
Web Page; htpp://www.web.net/~tccr

The Taskforce on the Churches and Corporate Responsibility (TCCR) was established by Canadian churches in 1975 to be the voice of the church with business corporations when they can or do impact human rights. It undertakes research and advocacy, and assists member organizations in promoting and implementing policies adopted by them on the social and environmental responsibility of Canadian-based corporations and financial institutions. TCCR publishes various materials, including articles and press clippings on issues related to its agenda, briefs and correspondence with governments, reports of company annual meetings, and occasional papers.

Name: Transition Monitoring Group
Acronyms: TMG
Language: English
Address: c/o CRP
P.O. Box 4447
Surulere
Lagos, Nigeria
Telephone Number: (234–1) 584–3041; 584–8498
Fax Number: (234–1) 584–8571
Email: crplagos@crp.org.ng
Web Page: http://www.crp.org.ng

The Transition Monitoring Group (TMG), formed in 1998, is a coalition of human rights groups, NGOs, and civil society organizations who work to develop the integrity of the electoral process in Nigeria by monitoring and reporting on political programs.

Name: Turkiye Insan Haklari Vakfi
Other Name: Human Rights Foundation of Turkey
Acronyms: TIHV; HRFT
Language: Turkish
Address: Menekse 2 Sokak 16/6
06440 Kizilay
Ankara, Turkey
Telephone Number: (90–312) 417–7180
Fax Number: (90–312) 425–4552
Email: tihv@tr-net.net.tr
Web Page: http://www.hrft.org.tr, http://www.tihv.org.tr

The Human Rights Foundation of Turkey (HRFT), was established in 1990 by 32 founding members of the Human Rights Association. HRFT bases its work on all international human rights accords whether signed by Turkey or not. HRFT issues publications and documentation on human rights and freedoms, and carries out scientific research and education. HRFT undertakes projects in a number of areas. It assists torture victims in getting treatment after having established a Treatment and Rehabilitation Centre for Torture Survivors and provides treatment for prisoners in ill health and for torture victims, as well as documenting prison conditions. HRFT also works to protect those women subjected to violence or the threat of violence.

Name: Tutela Legal del Arzobispado de San Salvador
Other Name: Legal Aid Office of the Archbishopric of San Salvador
Language: Spanish
Address: Apartado 2253
San Salvador, El Salvador
Telephone Number: (503) 225–2603

The Legal Aid Office of the Archbishopric of San Salvador (Tutela Legal), created in 1982, operates under the authority of the Justice and Peace Commission of the Archbishop of El Salvador. It documents human rights violations in El Salvador and provides legal assistance to the victims of such violations. Tutela Legal receives complaints of violations, records affidavits submitted by victims, and conducts on-site investigations of allegations, using both domestic and international law as a framework for impartial analysis. It also regularly visits persons detained by security forces, provides legal representation for victims of abuses, and coordinates the exhumation of deceased victims when unidentified bodies are discovered. Tutela reports on violations of both rebel and government forces in a strictly nonpartisan manner, and issues frequent detailed statistics of the violations, including politically motivated killings by the right (death squad and the military) and by the left (the FMLN). It also documents indirect killings, such as casualties resulting from land mines or other explosive devices.

Name: Union interafricaine des droits de l'homme
Other Name: Interafrican Union for Human Rights
Acronyms: UIDH
Languages: French; English
Address: 01 BP 1346, Ouagadougou 01
Burkina Faso
Telephone Number: (226) 316–145
Fax Number: (226) 316–144
Email: uidh@fasonet.bf
Web Page: http://www.multimania.com/uidh

The Union interafricaine des droits de l'homme (UIDH) was created in 1992 to serve as a collective watchdog, at the African level, of the principles stated in the Universal Declaration of Human Rights and the African Charter of Human and Peoples' Rights. It does not replace but rather supplements and reinforces national human rights organizations. UIDH's activities include conducting field investigations in tension areas; promotion and information missions; organizing campaigns to promote the signing and ratification of international human rights instruments, and to educate people on the implementation of these international instruments; and establishing procedures for harmonizing domestic law with international human rights treaties.

Name: U.S. Committee for Refugees
Acronyms: USCR
Languages: English; Spanish; Cambodian
Address: 1717 Massachusetts Ave. N.W.
Suite 200
Washington, DC 20036, USA
Telephone Number: (1–202) 347–3507
Fax Number: (1–202) 347–3418
Email: uscr@irsa-uscr.org
Web Page: http://www.refugees.org

The U.S. Committee for Refugees (USCR) was established in 1958 to protect the rights of refugees in the U.S. and around the world. USCR works to draw attention to the plight of refugees and internally displaced people, and translates that attention into meaningful protection and assistance. USCR engages in three types of activities. It responds to emergency situations by going to the scene of a refugee crisis, interviewing refugees and organizations involved, and reporting its findings to public and private relief agencies and human rights groups. Through media outreach, USCR's information and analysis appear regularly in the national and international media, drawing attention to the plight of refugees. USCR also advocates on behalf of refugees to the government.

Name: Unrepresented Nations and Peoples Organization
Acronyms: UNPO
Address: Postbox 85878
2508 CN, The Hague
The Netherlands
Telephone Number: (31–70) 360–3318
Fax Number: (31–70) 360–3346
Email: unpo@unpo.nl
Web Page: http://www.unpo.org

The Unrepresented Nations and Peoples Organization (UNPO), founded in 1991, consists of over 50 members who represent over 100 million persons. UNPO offers an international forum for those who are not represented in the world´s principal international organizations, such as the United Nations. This includes occupied nations, indigenous peoples, minorities, and even oppressed majorities who currently struggle to regain their lost countries, preserve their cultural identities, protect their basic human and economic rights, and safeguard the natural environment.

Name: Urban Morgan Institute for Human Rights
Language: English
Address: College of Law
University of Cincinnati
Cincinnati OH 45221–0040, USA
Telephone Number: (1–513) 556–0068; 556–0093
Fax Number: (1–513) 556–2391
Email: nancy.ent@law.uc.edu
Web Page: http://www.law.uc.edu/morgan2/

The Urban Morgan Institute for Human Rights, founded in 1979, is affiliated with the University of Cincinnati College of Law. It works to promote and protect human rights, particularly as they relate to the education of tomorrow's leaders. The Institute also works to disseminate electronically information that will facilitate the review of human rights literature by human rights advocates and researchers around the world in a timely way.

Name: Voix des sans voix pour les droits de l'homme
Other Name: Voice of the Voiceless for Human Rights
Acronyms: VSV
Languages: French; English
Address: BP 7248, Kinshasa I
Democratic Republic of Congo
Telephone Number: (243–88) 40–394; 50–832; 50–514
Fax Number: (243–88) 01–826 (243–12) 34–441
Email: vsv@ic.cd

The Voice of the Voiceless for Human Rights (VSV) operated clandestinely for several years before its formal foundation in 1990. It undertakes fact-finding and reporting on human rights abuses and collaborates with and even helps to finance other human rights initiatives in Kinshasa. VSV also sponsors a theater troupe, produces a newsletter aimed at popular education in human rights, and runs a program of assistance to victims of torture.

Name: Women in Law and Development in Africa
Acronyms: WILDAF
Language: English
Address: P.O. Box 4622
Harare, Zimbabwe
Telephone Number: (263–4) 752–105; 751–189
Fax Number: (263–4) 781–886; 752–105
Email: wildaf@mango.zw
Web Page: http://www.hri.ca/partners/wildaf

Women in Law and Development in Africa (WILDAF), founded in 1980, works to promote the effective use of legal strategies by women in Africa for national, community, and self-development. WILDAF provides assistance and training in legal literacy, as well as lobbies and mobilizes groups through networking.

Name: Women, Law and Development International
Acronyms: WLD
Languages: English; French; Spanish
Address: 1350 Connecticut Ave. NW
Suite 407
Washington, DC 20036–1701, USA

Telephone Number: (1–202) 463–7477
Fax Number: (1–202) 463–7480
Email: wld@wld.org/mschuler@wld.org
Web Page: http://www.wld.org

Women, Law and Development International (WLD), founded in 1997, promotes women's full and equal participation in nations around the world by advancing universal respect for human rights, expanding rights education and legal literacy among women, and challenging discriminatory socioeconomic barriers. Committed to capacity-building, advocacy, and expanding women's rights networks, WLD collaborates with thought-leaders, researchers, advocates, activists, and monitors throughout the world. WLD works with partners to identify legal, cultural, and economic impediments to women's enjoyment of human rights, to propose targeted approaches, to develop activist strategies, and to train women's groups to advocate before UN and governmental bodies for policies that recognize women's rights.

Name: Women Living Under Muslim Laws—International Solidarity Network
Other Name: Femmes sous lois musulmanes—Réseau internationale de solidarité
Acronyms: WLUML
Languages: French; English
Address: B.P. 20023
34791 Grabels, Cedex
Montpellier, France
Telephone Number: (requested that it not be printed)
Email: wluml@mnet.fr
Web Page: http://wluml.org

The Women Living Under Muslim Laws—International Solidarity Network (WLUML), founded in 1984, works to improve the status and lives of women living under Muslim law and to abolish unjust laws. It works to create links between women's groups in Muslim countries and communities and to share information.

Name: Women's Environment and Development Organization
Acronyms: WEDO
Language: English
Address: 355 Lexington Ave.
3rd Floor
New York, NY 10017–6603, USA
Telephone Number: (1–212) 973–0325
Fax Number: (1–212) 973–0335
Email: wedo@igc.apc.org
Web Page: http://www.wedo.org

The Women's Environment and Development Organization (WEDO), created in 1990, is a global organization working to increase women's visibility, roles, and leadership in public policy-making through peace, gender, human rights, environmental, and economic justice campaigns; through advocacy nationally, regionally, at the UN and in international financial institutions; and through local actions. WEDO works on a range of interconnected gender, environment, and development issues in a human rights framework. The organization, through its network of activists and experts, responds flexibly to the needs and interests of its worldwide constituency.

Name: Women's International League for Peace and Freedom
Other Name: Ligue internationale des femmes pour la paix et la liberté; Liga Internacional de Mujeres por la Paz y la Libertad; Internationale Frauenliga für Frieden und Freiheit
Acronyms: WILPF; LIFPL; LIMPAL; IFFF
Address: 1, rue de Varembé
CP 28
1211 Geneva 20, Switzerland
Telephone Number: (41–22) 733–6175
Fax Number: (41–22) 740–1063
Email: wilpf@iprolink.ch
Web Page: http://www.wilpf.int.ch

The Women's International League for Peace and Freedom (WILPF), founded in 1915, works through its national sections to bring together women who are opposed to war, violence, exploitation, and all forms of discrimination and oppression to establish peace based on economic and social justice for all, without distinction of sex, race, class, or creed. WILPF seeks to educate, inform, and mobilize women for action to achieve its goals. It organizes meetings, seminars, conferences, and campaigns to promote its goals. It sends missions to countries in conflict and reports to its members and friends and to the United Nations on their efforts to bring about peaceful settlements. WILPF also offers training to young women on disarmament, development, and human rights.

Name: World Council of Churches, Commission of the Churches on International Affairs
Acronyms: WCC—CCIA
Address: P.O. Box 2100
1211 Geneva 2, Switzerland
Telephone Number: (41–22) 791–6111
Fax Number: (41–22) 791–0361
Email: info@wcc-coe.org
Web Page: http://www.wcc-coe.org

The World Council of Churches (WCC), founded in 1948, is an international Christian organization built upon the foundation of ecumenical collaboration. WCC's International Relations group works to inform and address public issues that have a claim on the Christian conscience by monitoring, analyzing, and providing information on global security, the re-

form of the UN and other international institutions, and the applicability of sanctions. It also provides a platform for information-sharing and joint advocacy on critical situations of human rights violations and conflicts, and on opportunities to support peacemaking initiatives. WCC conducts programs and training for its local members on human rights and religious freedom; impunity, truth and reconciliation; disarmament and arms control; peace and conflict resolution; global governance; and uprooted people—refugees, migrants, and internally displaced people.

Name: World Press Freedom Committee
Acronyms: WPFC
Language: English
Address: 11690–C Sunrise Valley Drive
Reston, VA 20191, USA
Telephone Number: (1–703) 715–9811
Fax Number: (1–703) 620–6790
Email: freepress@wpfc.org; mgreen@wpfc.org
Web Page: http://wpfc.org

The World Press Freedom Committee (WPFC), founded in 1976, is an umbrella organization of print and broadcast professionals, labor and management, journalists, editors, publishers, and owners on six continents—united in the defense and promotion of press freedom. As well as providing legal assistance grants to journalists and news media prosecuted by governments, WPFC emphasizes monitoring and coordination, vigorous advocacy of free-press principles, and practical assistance programs.

Name: World University Service International
Other Name: Entraide universitaire mondiale; Servicio Universitario Mundial
Acronyms: WUS; EUM; WUS
Languages: English; Spanish; French
Address: WG-Plein 400
1054 SH Amsterdam
The Netherlands
Telephone Number: (31–20) 412–2266
Fax Number: (31–20) 412–2267
Email: wus-i@antenna.nl; admin@wis-i.antenna.nl
Web Page: http://www.antenna.nl/wus-i

World University Service (WUS), founded in 1920, focuses on education, development, and human rights. The Human Rights Program run by WUS-International promotes the rights to education, to academic freedom, and to university autonomy, and seeks to defend the human rights of members of the educational sector. WUS runs the Summer University on Human Rights and the Right to Education.

Name: Yayasan Lembaga Bantuan Hukum Indonesia
Other Name: Indonesian Legal Aid Foundation
Acronyms: YLBHI
Languages: Bahasa Indonesia; English
Address: Jalan Diponegoro No. 74
Jakarta 10320, Indonesia
Telephone Number: (62–21) 314–5518; 390–4226; 390–4227
Fax Number: (62–21) 330–140
Email: ylbhi@ylbhi.org
Web Page: http://www.ylbhi.org/

The Indonesian Legal Aid Foundation (YLBHI), founded in 1981, provides free legal aid to those who could otherwise not afford it. It raises consciousness and respect for the principle of the rule of law, human dignity, and human rights in general, and works to develop and modernize the law and monitors its implementation. YLBHI also undertakes public education on the concept and norms/values of the rule of law through courses, lectures, conferences, seminars, workshops, and through a variety of publications. It also makes suggestions, criticisms, and comments to authorities in the judicial, legislative, and executive branches of government and to society. YLBHI works with governments and institutions as well as NGOs in Indonesia and abroad and conducts research into social, political, economic, and cultural problems.

Name: Zimbabwe Human Rights Association
Acronyms: ZimRights
Language: English
Address: P.O. Box 3951
Harare, Zimbabwe
Telephone Number: (263–4) 707–278; 705–898
Fax Number: (263–4) 707–277
Email: zimright@samara.co.zw

The Zimbabwe Human Rights Association (ZimRights) works to promote, educate, raise awareness, and defend human rights and dignity. ZimRights aims to foster among individuals and groups respect for dignity regardless of race, religion, sex, age, or social status. It promotes the practice of social, economic, political, and legal justice to bring about social harmony and peace. ZimRights conducts public education programs to inform people and create awareness about their rights. It also carries out investigations into alleged human rights abuses and encourages the Zimbabwean government to ratify international human rights instruments and to perform its duties under such instruments. ZimRights liaises and cooperates with other human rights organizations locally and internationally. It helps victims of human rights abuse to claim legal remedies.

Glossary

alien. An individual who is not a citizen of the country in which he or she resides.

amnesty. A pardon granted to an individual or group of individuals for crimes committed in the past. Beneficiaries of an amnesty cannot legally be prosecuted for past crimes.

Amnesty International. One of the most active international non-governmental organizations (NGOs) dedicated to fighting for human rights around the world.

anti-Semitism. A hatred or hostility directed against Jews.

apartheid. The system of government-sanctioned racial segregation in South Africa from 1948 to 1990, which guaranteed the dominance of the white minority over the country's black majority.

asylum. A status granted to an individual or individuals protecting them from being forced to return to their country of origin. Asylum is often granted to victims of human rights abuse.

bicameral. Having two legislative chambers. The United States has a bicameral legislature, divided between the House of Representatives and the Senate.

bill of rights. Summary of basic human rights and personal freedom guaranteed against violation by the government. In the United States the Bill of Rights refers to the first ten amendments to the Constitution.

bonded labor. Workers forced to labor because of debts incurred by themselves or family members. Bonded labor often is equivalent to slavery.

Cairo Declaration on Human Rights in Islam. Adopted in 1990, a statement on human rights by a collection of Islamic nations. In tone, it is more conservative than United Nations human rights documents.

capitalism. An economic system that favors allowing businesses and entrepreneurs to operate without interference.

capital punishment. The use of the death penalty to punish a crime.

CEDAW. *See* Convention on the Elimination of All Forms of Discrimination Against Women

centrally planned (or controlled) economy. An economy directly controlled by the government, usually characteristic of a communist government.

civil liberties. Rights protected by law. Civil liberties include the right to speak freely or the right to a fair trial.

civil service. Civilian government employees.

conscientious objection. A refusal to serve in the military for religious or ethical reasons.

constitution. The laws and principles that underlie a country's legal system, or the document containing those laws.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Adopted by the United Nations in 1979, it obliges signatory nations to bring about equality of treatment between men and women.

coup (coup d'état). Violent overthrow of a government.

Cold War. The long period of hostility between the United States and the Soviet Union that developed in the aftermath of World War II. The Cold War ended with the fall of the Soviet Union in 1991.

Commonwealth. The name of an association of nations that were members of the British Empire. (The full name was the British Commonwealth of Nations.)

communism. A political and economic system based on the ideas of Karl Marx. In the twentieth century, communist countries were all one-party dictatorships.

declaration of independence. The official statement of a group severing ties with a former colonial or imperial power. The United States Declaration of Independence was signed on July 4, 1776 to signal American intentions to separate from Great Britain.

derogation. In international human rights law, the partial or complete deviation from a human rights commitment.

dictatorship. A government run by a person or group without consulting the wishes of the people. The political opposite of democracy.

disappearance. The sudden vanishing of a person because of kidnapping or murder. Often caused by oppressive governments and targeted against citizens who have resisted their governments.

Doctors Without Borders/Médicins Sans Frontières (MSF). An international non-governmental organization dedicated to providing medical aid to victims of natural disasters and wars. MSF received the Nobel Peace Prize in 1999.

domestic violence. Physical abuse of one family member by another. The most common forms are parents beating children and husbands beating wives.

EC. *See* European Community

ethnic cleansing. The use of violence or the threat of violence to force all people of one ethnicity out of a region.

EU. *See* European Union

European Community (EC). An association of European states. Called the European Union since 1994.

European Union (EU). The successor to the EC. The EU has fifteen members: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and United Kingdom.

extradition. Forcible transfer of an individual from the control of one government, where he or she has sought refuge, to that of another, where he or she is accused of a crime.

extrajudicial. Actions taken by government officials (e.g., police, army troops) that do not have the sanction of law. Extrajudicial killings, for example, are essentially murders carried out by the police or army in the name of justice.

female genital mutilation (FGM). The ritual cutting of some part of the female genitalia, usually that of young girls, for religious or traditional reasons.

FGM. *See* female genital mutilation

formal and informal economy (or sector). The formal sector (or formal economy) is the official economy. The informal sector, or the black market economy, is hidden from government regulators and tax collectors.

freedom of assembly. The right to gather openly in marches or demonstrations.

freedom of the press. The right of newspapers, magazines, and other media outlets to publish freely, including, most importantly, the right to criticize the government.

freedom of religion. The right to practice any religious faith.

freedom of speech. The right to speak or write freely, without fear of government interference.

free-market economy. An economy that favors capitalism, free enterprise, and relatively little government interference.

GDP. *See* gross domestic product

Geneva Conventions. A series of international agreements, first adopted in Geneva, Switzerland, in 1864, that require the signatories (which include most of the world's nations) to respect the human rights of soldiers, prisoners, and civilians during war.

genocide. An attempt to murder all or a portion of a people or ethnic group.

GNP. *See* gross national product

gross domestic product (GDP). The total income resulting from a nation's economic activity. GDP is used to compare the relative economic strength of countries.

gross national product (GNP). The gross domestic product with the addition of investment income earned by residents and minus the investment income earned by foreigners in the domestic market.

habeas corpus. A writ issued to bring a person before a court. The right of habeas corpus prevents a person from being jailed without proper authority.

Hague Conferences. Two conferences held in the Hague, Netherlands, in 1899 and 1907 for the purpose of limiting the destructive consequences of war.

Holocaust. Nazi Germany's attempt to exterminate Jews during World War II. Six million out of Europe's nine million Jews were killed during the Holocaust.

Human Rights Watch. A prominent human rights non-governmental organization (NGO).

impunity. The ability of some human rights criminals to escape punishment for their crimes.

IMRCRC. *See* The International Movement of the Red Cross and Red Crescent

indigenous peoples. Peoples long native to an area. Often used in reference to traditional or tribal groups, which have been threatened by the arrival of foreign conquerors.

International Labor Organization. An international agency affiliated with the United Nations. Founded in 1919, it is dedicated to protecting the rights of workers around the world.

International Movement of the Red Cross and Red Crescent (IMRCRC). Founded in 1863, the Red Cross was dedicated to providing food and medical support for victims of war and natural catastrophes. It became the IMRCRC in order to include humanitarian organizations from the Muslim world. The symbol of the Red Cross is a red cross on a white background; the symbol of the Red Crescent is a red crescent on a white background.

intifada. Arabic for "shaking off." The name given to the period from 1987 to the early 1990s of unrest and turmoil among Palestinians opposed to Israel's occupation of the West Bank and the Gaza Strip.

League of Nations. International organization founded at the end of World War I in an attempt to avoid future wars. The League failed to prevent the outbreak of World War II but helped to lay the groundwork for the United Nations.

NATO. *See* North Atlantic Treaty Organization

NGO. *See* non-governmental organization

non-governmental organization (NGO). Organization, not associated with any one government, that supports activities across national boundaries in specific issue areas, such as healthcare or politcal rights. Amnesty International and the Red Cross are both NGOs.

North Atlantic Treaty Organization (NATO). NATO was created in 1949 as a security and military alliance dedicated to opposing the threat of Soviet power in Europe. Its nineteen members include Belgium, Canada, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Spain, Turkey, United Kingdom, and United States.

Palestine Liberation Organization (PLO). The most prominent of the Palestinian resistance movements that are fighting to regain an independent homeland in Palestine.

PLO. *See* Palestine Liberation Organization

racism. The belief that the members of one racial or ethnic group are superior to another.

rapporteur. United Nations representative responsible for a particular issue.

Red Crescent. *See* International Movement of the Red Cross and Red Crescent

Red Cross. *See* International Movement of the Red Cross and Red Crescent

refugee. A person forced to flee his or her home because of political turmoil or persecution.

Roma ("Gypsies"). An ethnic group scattered throughout Europe. The Roma have a long history of facing discrimination.

sexual orientation. Describes the nature of a person's sexual attractions. Sexual orientations include heterosexuality (being attracted to the opposite sex), homosexuality (being attracted to the same sex), and bisexuality (being attracted to both sexes).

shari'a (also sharia). The legal code based on the Koran.

slavery. The practice of forcing people to work for no wages and treating them as a form of property.

solitary confinement. Imprisonment with little or no contact with other prisoners or guards. A harsh punishment causing great mental anguish.

subsistence agriculture. Agricultural practice in which farmers are growing just enough food to feed themselves and their families.

terrorism. The illegal use of violence against people in an effort to intimidate and influence society.

Tiananmen Square. A central square in Beijing, China. In spring 1989, Tiananmen Square was the site of pro-democracy human rights demonstrations that were brutally repressed by the Chinese government.

totalitarianism. A form of government that uses police and security forces to gain complete control over all aspects of its people's lives. Totalitarian governments are inherently hostile to most human rights. Stalin's Soviet Union and Hitler's Nazi Germany were both totalitarian states.

UN. *See* United Nations

UNESCO. *See* United Nations Educational, Scientific, and Cultural Organization

unicameral. Having only one legislative chamber. Israel, for example, has a unicameral legislature.

UNICEF. *See* United Nation's Children's Fund

United Nations (UN). The world organization of nations founded in 1945.

United Nations Educational, Scientific, and Cultural Organization (UNESCO). A United Nations organization dedicated to making the world aware of the importance of human rights and international justice and to end ignorance and prejudice.

United Nations High Commissioner for Refugees (UNHCR). The name refers to both the organization and the leader of the organization that serves to protect the interests of refugees around the world.

United Nations Universal Declaration of Human Rights (UDHR). Adopted by the United States in 1948, the UDHR is a statement of purpose on human rights by the nations of the world. Its articles outline the human rights that all people should be granted.

WHO. *See* World Health Organization

World Health Organization. A United Nations agency dedicated to improving the health of all people through education and medical assistance. The WHO works closely with UNICEF and UNESCO.

World Trade Organization (WTO). Major UN organization that oversees international trade agreements and treaties.

WTO. *See* World Trade Organization

xenophobia. A fear of or contempt for foreigners. Xenophobia and racism are closely related prejudices.

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